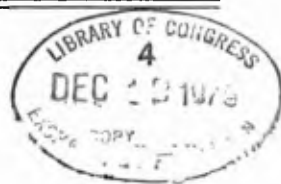


and Constitutional Committee on Civil
**AUTHORIZATION REQUESTS OF THE COMMUNITY RELA-
TIONS SERVICE AT THE DEPARTMENT OF JUSTICE**



OVERSIGHT HEARING
BEFORE THE
SUBCOMMITTEE ON
CIVIL AND CONSTITUTIONAL RIGHTS
OF THE
COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES
NINETY-SIXTH CONGRESS
FIRST SESSION
ON
AUTHORIZATION REQUESTS OF THE COMMUNITY RELATIONS
SERVICE AT THE DEPARTMENT OF JUSTICE

FEBRUARY 22, 1979

Serial No. 21



Printed for the use of the Committee on the Judiciary

U.S. GOVERNMENT PRINTING OFFICE

44-346 O

WASHINGTON : 1979

COMMITTEE ON THE JUDICIARY

PETER W. RODINO, JR., *New Jersey, Chairman*

JACK BROOKS, *Texas*
ROBERT W. KASTENMEIER, *Wisconsin*
DON EDWARDS, *California*
JOHN CONYERS, JR., *Michigan*
JOHN F. SEIBERLING, *Ohio*
GEORGE E. DANIELSON, *California*
ROBERT F. DRINAN, *Massachusetts*
ELIZABETH HOLTZMAN, *New York*
ROMANO L. MAZZOLI, *Kentucky*
WILLIAM J. HUGHES, *New Jersey*
SAM B. HALL, JR., *Texas*
LAMAR GUDGER, *North Carolina*
HAROLD L. VOLKMER, *Missouri*
HERBERT E. HARRIS II, *Virginia*
MIKE SYNAR, *Oklahoma*
ROBERT T. MATSUI, *California*
ABNER J. MIKVA, JR., *Illinois*
MICHAEL D. BARNES, *Maryland*
RICHARD C. SHELBY, *Alabama*

ROBERT MCCLORY, *Illinois*
TOM RAILSBACK, *Illinois*
HAMILTON FISH, JR., *New York*
M. CALDWELL BUTLER, *Virginia*
CARLOS J. MOORHEAD, *California*
JOHN M. ASHBROOK, *Ohio*
HENRY J. HYDE, *Illinois*
THOMAS N. KINDNESS, *Ohio*
HAROLD S. SAWYER, *Michigan*
DAN LUNGREN, *California*
F. JAMES SENSENBRENNER, JR., *Wisconsin*

ALAN A. PARKER, *General Counsel*
GARNER J. CLINE, *Staff Director*
FRANKLIN G. POLK, *Associate Counsel*

SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS

DON EDWARDS, *California, Chairman*

JOHN F. SEIBERLING, *Ohio*
ROBERT F. DRINAN, *Massachusetts*
ELIZABETH HOLTZMAN, *New York*
HAROLD L. VOLKMER, *Missouri*
ROBERT T. MATSUI, *California*

HENRY J. HYDE, *Illinois*
JOHN M. ASHBROOK, *Ohio*
F. JAMES SENSENBRENNER, JR., *Wisconsin*

THOMAS P. BREEN, *Counsel*
IVY L. DAVIS, *Assistant Counsel*
HELEN C. GONZALES, *Assistant Counsel*
ROSCOE B. STAREK III, *Associate Counsel*

(11)

79-604381

KF27
J847
1979c

ad 63 1/9/80

CONTENTS

WITNESSES

Dennis, Robert L., Deputy Director, Community Relations Service, Department of Justice.....	Page 2
Meeks, Dale, Administrative Officer, Community Relations Service, Department of Justice.....	2
Pompa, Gilbert G., Director, Community Relations Service, Department of Justice, prepared statement.....	2
Prepared statement.....	5

ADDITIONAL MATERIAL

Background of Community Relations Service's:	
Confidentiality standard, Library of Congress, March 22, 1979.....	27
Community Relations Service, U.S. Department of Justice, Annual Report 1979.....	29

(iii)

ja80

AUTHORIZATION REQUESTS OF THE COMMUNITY RELATIONS SERVICE AT THE DEPARTMENT OF JUSTICE

THURSDAY, FEBRUARY 22, 1979

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The subcommittee met at 9:40 a.m., in room 2141 of the Rayburn House Office Building; Hon. Don Edwards (chairman of the subcommittee), presiding.

Present: Representatives Edwards, Drinan, Volkmer, and Sensenbrenner.

Staff present: Helen C. Gonzales and Ivy L. Davis, assistant counsel, and Roscoe B. Starek III, associate counsel.

Mr. EDWARDS. The subcommittee will come to order.

Today we are going to begin the first in a series of oversight hearings on the authorization requests made by certain divisions of the Department of Justice that are within this subcommittee's jurisdictional purview.

Today's hearing will focus on the Community Relations Service. The Service was established by title X of the Civil Rights Act of 1964 as part of the Department of Commerce. It is authorized to assist communities in resolving disputes, disagreements or difficulties relating to discriminatory practices based on race, color or national origin. CRS may offer its assistance when, in its judgment, peaceful relations within the community are threatened; it can offer services at its own initiation, or at the request of a State or local official or other interested person.

Furthermore, as set forth in its charter, its conciliation and mediation services are to be provided in confidence and without publicity.

This requirement of confidentiality and prohibition against publicity has enabled the Service to carry forth its mission effectively. Time and again, it has avoided threatened or continued violence and costly litigation. The Federal Judiciary has recognized its important function; thirteen District Court Judges have ordered the participation of CRS in implementing various court orders.

Under Reorganization Plan No. 1 of 1966, the Service was transferred from the Commerce Department to the Department of Justice. In his accompanying message to the Congress, President Johnson noted that the transfer was consistent with Executive Orders 11246 and 11247 which gave a greater coordination function for civil rights enforcement by the various Federal agencies to the Attorney General.

He pointed out that the transfer would be mutually beneficial to both the Department and the Service in carrying out their functions.

Indeed, the Service has noted that its ability to bring conflicting parties together is greatly facilitated because of its position within the Department of Justice.

As we go forward with this authorization review, I ask my colleagues to be mindful of what appears to be a substantial decrease in the number of positions appropriated for fiscal years 1979 and 1980 and the 1981 estimated authorization requests. I look forward to the explanation for this decrease from the witnesses.

As elected officials, we are all mindful of the need to curb excessive spending, but this should not be accomplished at the expense of effective implementation of the letter of the law.

Our witnesses this morning are the Director of the Community Relations Service, Mr. Gilbert G. Pompa, and members of his staff, Robert L. Dennis and Dale Meeks.

Mr. Pompa has had a distinguished career with CRS and we look forward to his testimony.

Welcome, gentlemen; Mr. Pompa, you may proceed.

TESTIMONY OF GILBERT G. POMPA, DIRECTOR, COMMUNITY RELATIONS SERVICE, DEPARTMENT OF JUSTICE, ACCOMPANIED BY ROBERT L. DENNIS, DEPUTY DIRECTOR, AND DALE MEEKS, ADMINISTRATIVE OFFICER

Mr. POMPA. Thank you, Mr. Chairman.

I am pleased to appear before the honorable members of the House Subcommittee on Civil and Constitutional Rights to represent the Community Relations Service as its Director and to provide an overview of our operations. I am joined by my Deputy Director, Mr. Robert Dennis, and Dale Meeks, Administrative Officer.

As stated previously, CRS is responsible for providing assistance to communities in resolving disputes, disagreements, and difficulties arising from discriminatory practices based on race, color, or national origin.

Having neither funds to dispense nor legal sanctions to impose, CRS' most important resource lies in the knowledge, skills, judgment, patience, and dedication of its men and women on the scene.

Our agency fulfills its mission by providing onsite conflict resolution assistance through its multiracial field staff of veteran mediators and conciliators working out of 10 regional offices. The agency can respond on short notice to conflict situations anywhere in this Nation.

In fiscal year 1978 the agency's attention was drawn to more than 1,300 instances of racial or ethnic difficulties. Of that number, it was able to provide conciliation and mediation assistance to 957. These cases were located in approximately 500 communities in all 50 States. Three hundred and eighty-two—an increase of 62 percent from the previous year—related to administration of justice problems; 243—up 77 percent—related to education; and 332—up 65 percent—related to other areas of community relations problems, such as housing, employment, use of revenue sharing funds, and others.

While help was provided on a number of occasions to the largest U.S. cities, fully one-third of the work took place in communities with a population of less than 50,000. In a typical year, blacks will be involved in about 60 percent of the disputes with which the agency

deals, Hispanics in about 40 percent, Native Americans in 20 percent, and Asian Americans in about 2 percent—understanding, of course, that in some of these disputes, there may be two or more minorities involved.

While large-scale riots are not as prevalent as they once were, the potential, based on increasing minority frustration with the lack of meaningful employment, alleged police excessive use of force, segregated schooling, and inadequate housing, is still there. Tension between races is not lessening but sometimes is taking on new forms of social disruption.

Some examples of these disruptions are school and economic boycotts, lawsuits filed by minorities protesting violations of civil rights and equal protection laws, and increased friction between minorities and police.

In this latter category of friction between minorities and police, I might point out that police misconduct civil suits averaged 9,200 per year from 1972 to 1976. Also, a recent Police Foundation study shows that for every five minorities killed in shooting incidents with police, one police officer also loses his life. Of the citizen victims of police shootings in seven cities studied, 76 percent were minority. Minorities constituted about 35 percent of the population in those seven cities. Finally, approximately 29 percent of all arrests in any given year nationwide are of minorities, while the total minority population in the latest Bureau of Census figures for 1976 was only 13.2 percent.

Some other barometers of social tension are: civil rights lawsuits and the resurgence of such radical groups as the Ku Klux Klan and the National Socialist Party of America. Furthermore, Native Americans on 300 reservations have filed a class action suit against the Department of Agriculture, charging it with failure to implement Federal antihunger programs for these reservations.

The tendency toward racial polarization, concurrent with a worsening economic situation, creates a volatility which cannot be underestimated.

At this time last year, there was an open question regarding the future of the Community Relations Service. The Attorney General deliberated for more than 1 year on the need for the Community Relations Service, and as a result of his travels around the country he ultimately came to the conclusion that the mood of this Nation was not good. Based on this, the Attorney General decided that there was a continued need for the Community Relations Service as a part of the Department's multidimensional approach to fulfilling the responsibility of enforcement of civil rights laws and constitutional guarantees.

The administration of justice section of the national budget outlines the national needs for justice to include the representation of the public in legal matters; the provision of fair and prompt prosecution and trial procedures; the maintenance of public order and enforcement of Federal statutes; the provision of detention and correctional facilities for those charged with or convicted of violating Federal laws; and the provision of assistance to State and local criminal justice systems. In order to meet these needs the Federal Government supports programs in four major missions: Federal law enforcement activities, Federal litigative and judicial activities; correctional activities; and criminal justice assistance.

The need for our third-party neutral service is directly related to the Federal Government's responsibility for the safety and the welfare of the people of this country. Community Relations Service is directly involved in protecting the safety and human rights of citizens as well as helping the Federal Government maintain a stable economy.

The Service is an accepted and proven alternative to other, more costly means of enforcing civil rights laws and giving constitutional guarantees. This fiscal year our services have been provided at the request of 13 judges, 37 police departments, 49 school systems, 28 U.S. attorneys, and 33 mayors or other top city officials. This is from a sampling of eight regions.

We acknowledge that prior to this time last year, we had management and administrative problems particularly in terms of our ability to evaluate the work of this agency. This was accentuated by the uncertainty of the directorship and the future of the agency. In May of last year I was appointed as Director, and in June a Deputy was selected to assist me in providing the necessary management skills that this agency needed.

As one of my first acts, I analyzed all the management problems of the agency, including all those problems pointed out by OMB in the past budget recommendations. Immediately a process was instituted to correct all the agency management and administrative problems, particularly those pointed out by OMB.

A new management team was formed which undertook a multifaceted approach to correcting the agency's problems. This new management team implemented a total management improvement program in what I consider to be record time.

This program has already resulted in agencywide improvements in terms of better utilization of resources and a more equitable workload distribution among the staff.

To substantiate the Attorney General's faith in the agency as a cost-effective alternative to litigation, we developed a method of documenting with empirical evidence, that we are indeed cost-effective. The Community Relations Service has demonstrated through a cost/benefit analysis that yields for every dollar spent a return of up to \$41 in avoidance of litigation, investigations, and the need for enforcement.

Hence, we consider the Community Relations Service to be a viable tool in the fight against inflation.

In June of 1978, soon after my confirmation, the Community Relations Service began to assemble a management system with capabilities for, among other things, measuring program efficiency, organizational effectiveness and social impact of the agency's programs. The mechanism chosen to accomplish this was the operational planning system, known as OPS.

OPS provides a systematic plan for resource allocation and quantification of our work. Improvement of overall department and administrative objectives is another benefit of the OPS system.

During budget hearings in June of 1978, I promised to make the rest of the fiscal year a planning phase. This year is to be a development and testing phase for all the new improvements which I initiated. We were to be ready to fully implement all improvements by fiscal year 1980. This schedule is presently being followed.

As a result of this process, CRS' executive, planning and administrative personnel will be reduced to the barest minimum to enable us to retain maximum strength in the field.

Basically, the mission of the Community Relations Service under title X is carried out through the mechanisms of conciliation and mediation. The use of these mechanisms by the Community Relations Service has been specialized to address complex racial and ethnic issues in this country.

We recognize that the day of "good-guy/bad-guy" connotations are gone forever. Rather, we have a country of many diverse people woven together in an increasingly complicated social fabric, who are attempting to coexist. Litigation, a once-satisfactory tool to right the more blatant wrongs that existed, has become a more difficult tool to use. The adversary process is not always the best or the most equitable process to be utilized in solving some of these problems.

It has become increasingly clear to us that as social and economic resources become more scarce and competition becomes more intense, the need for CRS could expand beyond the confines of its original mandate. Some federal district judges have already expressed frustration in deciding cases in the area of community social conflict. Many agree that mediation does a better job of holding the social fabric together.

Community Relations Service can readily see a use for its services in a range of other controversies.

In all such instances CRS acts as a third party to facilitate local solutions to local problems.

With respect to the question of whether the Community Relations Service, if it continues to improve itself, has the capability to take on an enlargement of its mandate to include other kinds of community dispute settlement—the answer is clearly, "yes."

Thank you, Mr. Chairman. That concludes my statement.

Mr. EDWARDS. Thank you very much for an excellent statement. Without objection, the entire statement will be made a part of the record.

[The full statement follows:]

STATEMENT OF GILBERT G. POMPA, DIRECTOR, COMMUNITY RELATIONS SERVICE

Mr. Chairman: I am pleased to appear before the honorable Members of the House Subcommittee on Civil and Constitutional Rights to represent the Community Relations Service as its Director and to provide an overview of our operations.

CRS was created by Title X of the Civil Rights Act of 1964, 42 U.S.C. Sections 2000g-2000g-3 (1970), and transferred to the Department of Justice by President Johnson's Reorganization Plan No. 1 of 1966.

STATUTORY MISSION

Pursuant to Title X, CRS is responsible for providing assistance to communities in resolving disputes, disagreements, and difficulties arising from discriminatory practices based on race, color or national origin, which impair the rights of persons under the Constitution or laws of the United States, or which disrupt or threaten to disrupt, peaceful relations among citizens in those communities.

Section 1003(a) of Title X contains a significant provision instructing CRS to, whenever possible, "seek and utilize the cooperation of appropriate State or local, public or private agencies." Implicit in this instruction is the recognition by Congress that the ultimate resolution of community conflict must come from within the community, and that the CRS is indeed a service organization.

CRS was established, then, not to provide or enforce solutions, but to assist and support individuals and organizations in resolving local problems.

At the same time, however, Congress recognized the fact that local officials may sometimes be unable to recognize or reluctant to admit that their community is experiencing discrimination problems and may therefore be unreceptive to outside third-party assistance. For this reason, CRS is also authorized to offer its services either upon request or upon its own motion. In either situation, though, the assistance rendered is aimed at a voluntary solution, not an enforced or imposed sanction.

Having neither funds to dispense nor legal sanctions to impose, CRS' most important resource lies in the knowledge, skills, judgment, patience, and dedication of its men and women on the scene.

The agency fulfills its mission by providing onsite conflict resolution assistance through its multi-racial field staff of veteran mediators and conciliators working out of 10 regional offices. Seventy percent of the CRS staff are Black or Spanish-speaking. The agency can respond on short notice to conflict situations anywhere in the nation.

In fiscal year 1978 the agency's attention was drawn to more than 1300 instances of racial or ethnic difficulties. Of that number, it was able to provide conciliation and mediation assistance to 955. These cases were located in approximately 500 communities in all 50 states. Three hundred eighty-two, up 62 percent from the previous year, related to administration of justice; 243, (up 77 percent) to education; and 332, up 65 percent) to other areas of community relations problems such as housing, employment, use of revenue sharing funds and others.

While help was provided on a number of occasions to the largest U.S. cities and in all 50 states, fully a third of the work took place in communities with a population of less than 50,000. In a typical year, Blacks will be involved in about 60 percent of the disputes with which the agency deals, Hispanics in 40 percent, Native Americans in 20 percent and Asian Americans in about 2 percent (two or more groups may be involved in a single case.)

While large scale riots are not as prevalent as they once were, the potential, based on increasing minority frustration in the lack of meaningful employment, alleged police excessive use of force, segregated schooling, and inadequate housing is still there. Tension between races is not lessening but sometimes taking on new forms of social disruption. Some examples of these disruptions are school and economic boycotts, lawsuits filed by minorities protesting violation of civil rights and equal protection laws and increased friction between minorities and police. In this latter category:

Police misconduct civil suits averaged 9,200 per year from 1972 to 1976.

A recent Police Foundation study shows that for every five minorities killed in shooting incidents with police, one police officer also loses his life. Of the citizen victims of police shootings in seven cities studied, 76 percent were minority. Minority constituted 35 percent of the population.

Approximately 29 percent of all arrests in any given year nationwide are of minorities while the total minority population in the latest Bureau of Census figures (1976) was only 13.2 percent.

Many social commentators speak of a growing mood of austerity, which they feel threatens advances made by minorities.

This austerity is reflected in local cutbacks that have a double-edged sword effect on minorities. Jobs cut at the State and local level which, for minorities represent the first rung on the ladder towards economic security, are cut, as are social services that many minority communities are dependent upon for a minimum standard of living. The economic gap between majority and minority groups is widening and with a disproportionately adverse effect on minority youth. With the threatened economic downturn many minorities perceive a loss of ground from the late 60's and early 70's.

Such situations prompted Vernon Jordan, president of the National Urban League, to say that the condition of Black Americans "verges on the brink of disaster" warning that "1979 promises to be a year of crisis for America's Black people."

Among other rising barometers of social tension are: civil rights lawsuits and the resurgence of such radical groups as the Ku Klux Klan and the National Socialist Party of America (Nazis). Native Americans on 300 reservations have filed a class action suit against the Department of Agriculture, charging it with failure to implement year-old federal anti-hunger programs for these reservations.

The tendency toward racial polarization concurrent with a worsening economic situation, creates a volatility which cannot be underestimated.

There is special value in retaining, not crippling, the one federal instrumentality which has a predictive and preventive capability—which helps communities resolve problems that would otherwise rise layer upon layer in unresolved form—and which helps antagonists move confrontations from the street to the negotiating table.

PRIORITIES AND NEW DEVELOPMENTS

At this time last year there was an open question regarding the future of CRS. The Attorney General deliberated for more than a year on the need for CRS, but as a result of his travels around the country, he came to the conclusion that the mood of the nation was not good. Based on this, the Attorney General decided there was a continued need for CRS as a part of the Department's multi-dimensional approach to fulfilling the responsibility of enforcement of Civil Rights laws and Constitutional guarantees.

The Administration of Justice section of the National budget further outlines the national needs for justice to include the representation of the public in legal matters; the provision of fair and prompt prosecution and trial procedures; the maintenance of public order and enforcement of Federal statutes; the provision of detention and correctional facilities for those charged with or convicted of violating Federal laws; and provision of assistance to State and local criminal justice systems. To meet these needs, the Federal government supports programs in four major missions: Federal law enforcement activities; Federal litigative and judicial activities; correctional activities, and criminal justice assistance.

The chief law enforcement officer of the nation has recognized CRS as a valuable resource assisting in the Justice Department's efforts to meet the above needs. CRS assists the Department under the mission area of criminal justice assistance. CRS provides these services in various ways:

In order to provide fair and prompt trial procedures, CRS, through conciliation and mediation of disputes allows courts to keep dockets less crowded.

In order to maintain public order, CRS responds to demonstrations that could lead to open conflict, economic disruptions and correctional disputes.

In order to enforce Federal statutes, CRS utilizes voluntary compliance techniques to bring disputing parties to compromises that avoid the breaking of Federal laws.

In order to provide assistance to State and local criminal justice systems, CRS provides technical assistance, as well as conciliation and mediation techniques, to State and local police departments and correctional institutions.

The need for our third-party neutral service is directly related to the Federal government's responsibility for the safety and the welfare of the people. CRS is directly involved in protecting the safety and human rights of citizens as well as helping the Federal government maintain a stable economy.

The Service is an accepted and proven alternative to other, more costly means of enforcing civil rights laws and giving Constitutional guarantees. In the past six months our services have been requested by 13 federal judges, 37 police chiefs, 49 school superintendents or school board presidents, 28 U.S. Attorneys and 33 mayors or other top city officials.

The Department has recognized the value of conciliation and mediation as alternatives to litigation. This was demonstrated not only by the decision to keep CRS as a viable agency to conciliate and mediate community-wide disputes, but also by the Department's development of Neighborhood Justice Centers (NJC) to conciliate and mediate disputes among individuals. The CRS' techniques of mediation and conciliation are the very "tools" that are pinpointed as the cornerstones of the NJC's.

We acknowledge that prior to this time last year, we had management and administrative problems that were accentuated by the uncertainty of the Directorship and future of the agency. In May, I was appointed as Director due to my familiarity with the social aspects of CRS' services, and in June a Deputy was appointed to provide the necessary management skills.

As one of my first acts, I analyzed all the management problems of the agency, including all those problems pointed out by OMB in past budget recommendations. Immediately a process was instituted to correct all the agency management and administrative problems, particularly those pointed out by OMB. A new management team was formed, which undertook a multi-faceted approach to correcting agency problems. This new management team implemented a total management improvement program in record time. This program has already resulted in agencywide improvements (e.g., better utilization of resources, more equitable workload distribution, etc.)

The first stage of the process, identifying problems, was accomplished by an agency Standards Task Force that reported to the Director making recommendations for standardization of operations. To ensure that an objective appraisal of the agency's administrative operations was conducted, an administrative and management review was done by a DOJ staff member of the Office of Management and Finance, and recommendations were reported to the Deputy.

Along with this, to substantiate the Attorney General's faith in the agency as a cost effective alternative to litigation, we developed a method of documentation with empirical evidence that we are indeed cost effective. CRS has demonstrated through a cost/benefit analysis that its programs bring for every dollar spent a return on investment up to \$41 through avoidance of litigation, investigations, and the need for enforcement. Hence, CRS is a viable tool in the inflation fight.

We demonstrated this in basically three ways: Cost benefit to the Department, cost benefit and support services government-wide, and cost benefit to State and local jurisdictions.

In order to accomplish a total cost/benefit analysis, we had to do a complete redefinition and restructuring of CRS program thrusts and project areas. A delineation of the major program areas and project areas for each was made. Each program and project area was defined and program and project area objectives were outlined. We then undertook a summary analysis of national statistics concerning key socio-economic indicators that correlate to racial/ethnic disturbances that the agency dealt with in the past.

From this point, an assessment of the need for CRS services in each project area was carried out based on the national scope the problem and additional data were gathered. We determined, based on proxy studies, that a certain percent of the universal figures for each project area would be susceptible to our services. We are in the process now of conducting our own studies and expect comparable results.

All of this information was then used to develop a cost/effectiveness analysis, displaying all activities and programs on an item-by-item basis.

We realized that we could not continue, as we had in the past, to rely upon case examples as our sole justification. We further realized the importance of the agency being able to quantify our effectiveness and efficiency. Therefore, immediately upon my confirmation on June 21, 1978, I initiated a process of assessing, reprogramming and restructuring that would enable CRS to more effectively carry out the mission. A formal system of program and policy development, together with an administrative/operational review completed the remainder of the first year's short-term goals for the agency. This has been followed up with a new table of organization.

In 1978 CRS began to assemble a management system with the capability to, among other things, measure program efficiency, organizational effectiveness and social impact of the agency's programs. The mechanism chosen to accomplish this was the Operational Planning System (OPS). It provides for the orderly and logical:

1. Development of CRS priority objectives, Allocation of resources, Scheduling of work, Monitoring of progress in meeting our objectives;
 2. Improvement of in-house communications about CRS objectives;
 3. Balancing of workloads for individuals, regions, and CRS headquarters;
- and
4. Improvement of existing means for reporting on and evaluating case-work and demonstration programs.

Concurrently, OPS provides for better quantification of our work and for improved conformity with overall Department and Administration objectives.

The OPS is the product of an agency-wide effort. The ideas and revisions proposed at training sessions conducted for all professional staff, together with recommendations made by the Standardization Task Force, have been incorporated into and institutionalized in the OPS Handbook.

The OPS Handbook is the master guide to that system. Detailed, step-by-step guidelines to each of the three OPS phases; the planning phase; the implementation and reporting phase; and the monitoring and control phase are contained therein.

Even though the system is very comprehensive, it was conceptualized, staff was trained in its use, and CRS succeeded in developing an agency-wide plan in less than four months time.

In the near future CRS plans to conduct an agency-wide skills assessment to maximize utilization of all staff and will develop a comprehensive staff development training program towards the same end.

During budget hearings in June, 1978, immediately after I was confirmed as Director I promised to make the rest of 1978 a planning phase, 1979 a development and testing phase for all new improvements and to be ready to fully implement all improvements by fiscal year '80. This schedule is being followed.

As a result of OPS, CRS Executive, planning and administrative personnel will be reduced to the barest minimum to enable us to retain maximum strength in the field. Even so we will continue to be unable to meet all the request for our services.

The Attorney General has clearly indicated that the discontinuance of CRS is both unwise and unacceptable.

SERVICES UNDER THE MANDATE

Basically, the mission of CRS under Title X is carried out through the mechanisms of conciliation and mediation. The use of these mechanisms by CRS has been specialized to address complex racial and ethnic.

Conciliation

CRS gains entrance into a dispute as an objective third party to help opposing factions work out a peaceful, yet productive, settlement of their difficulties. The process itself is based on improving communications, and encompasses a great variety of activities.

The use of any one specific technique or combination thereof will depend on circumstances of the case. Activities of a CRS conciliator may include:

- Facilitating initial communications among disputants so that opposing views are perceived, issues identified, and positions clarified;

- Helping those involved identify and enlist resources which may affect the peaceful and timely resolution of a problem;

- Consulting and coordinating with law enforcement and other officials to reduce the likelihood of confrontation or violence when inflammatory conditions prevail; and

- Recommending alternatives to improve the opportunity for citizen involvement in governmental processes.

These techniques are supported by a variety of specific acts of technical assistance such as: planning assistance geared toward improving communications with minority groups; training of local police departments and school officials in conflict management; referring of requests for assistance to responsible agencies or resources when CRS services are not appropriate; and providing of guidance to police departments in developing firearms policies and citizen participation mechanisms.

Through this process, a conciliator influences the development of cooperative attitudes among parties, assists in the search for a voluntary settlement and often encourages the establishment of local mechanisms designed to effectively address future conflict situations that may arise.

Mediation

Mediation, the second mechanism used by CRS, is a more formal process in which disputants address a list of specific issues in table negotiations. Its goal is a written agreement resolving major issues.

Mediation is only attempted if both parties consent and agree to abide by certain pre-determined guidelines of negotiation.

CRS mediators handle all aspects of the negotiation sessions which include: Preparing and advising all parties for the table sessions; establishing recognition of opposing spokespersons and participants; providing technical expertise on crucial issues; persuading the parties to maintain a "good faith" posture and to move toward realistic settlement goals; and developing an appropriate mechanism for follow-up implementation of and agreement made.

The mediation process offers State and local agencies and citizens' groups an opportunity to formally discuss their grievances and, through negotiation, to work out local solutions to local problems.

Examples of CRS conciliation and mediation cases are to be found in the appendix.

CRS recognizes that the day of "good guy-bad guy" connotations are, for the most part gone forever. Rather we have a country of many diverse people woven together in an increasingly complicated social fabric, who are attempting to co-exist. Litigation, a once satisfactory tool to right the more blatant wrongs that existed, has become more a difficult tool to use. The adversary process is not necessarily the best process, or the only one available.

Among new areas of dispute we will see more inter-ethnic rivalry and conflict rather than the traditional minority vs. the "establishment."

It has become increasingly clear to us that as social and economic resources become scarcer and competition becomes more intense, the need for CRS could expand beyond the confines of its original mandate. Some federal district judges have expressed frustration in deciding cases in the area of community social conflict. Many agree that mediation does a better job of holding the social fabric together.

While CRS experience in resolving conflicts that do not relate to minority groups and minority issues is limited, it clearly indicates that the CRS approach can be equally effective in other areas of conflict.

For instance the Kent State confrontation in 1978 shows how CRS resources are utilized outside of our mandate.

Although the issues and parties involved did not bring this case within our mandate, the parties were referred to us by the White House in view of volatility of the conflict and the distressing implications that widespread violence might have on the nation.

In this instance, CRS intervention as a neutral third party was instrumental in avoiding violence. The techniques we employed—winning trust of both sides, establishing and maintaining communications channels between antagonists, helping parties to see and assess options, clarifying issues, serving as a reality agent in moments of high emotion, introducing outside resources—are the same techniques we developed over time for dealing with racial disputes. Also identical are the skills required by our conciliators—trust building, conflict analysis, communication, sense of timing and the uses of time, conscious use of self, and coolness and resourcefulness in the face of physical and/or verbal violence.

CRS can readily see use for its services in a range of other controversies. One is the confrontation between the environmentalists and the State Police, National Guard and the Governor of New Hampshire over the construction of the atomic power plant at Seabrook, New Hampshire.

A wide range of disputes such as problems related to the aged, consumers, environmentalists and women are all conflicts that are amenable to productive rather than destructive resolution through CRS-developed techniques.

In all such instances CRS third-party intervention facilitates local solutions to local problems.

The mediation of such cases should result in cost benefits from avoidance (or at least limiting) of litigation, averting disruption of trade and commerce, lessening damage to community and individual reputations,—and, of course, most important, the forestalling of injury and death and destruction of property.

CRS is particularly well-suited to the resolution of community-based conflict, which can rarely be totally solved by litigation and arbitration which cover only a narrow range of actionable issues and which often end up with a winner and a loser—but no end to the basic antagonism. Mediation and conciliation on the other hand—at least as practiced by CRS—structures the negotiation around the underlying issues rather than just the immediate facts precipitating a particular confrontation. By seeking solutions based on pragmatism, on cooperative effort to solve problems jointly, often with outside resources, and by achieving voluntary agreements, the CRS approach strengthens the climate for constructive settlement of future problems by the parties themselves.

Recognizing the uniqueness of CRS experience in settling community disputes, several of the neighborhood justice centers, both federally supported and others, have asked CRS help in providing mediation training for their staff members.

The community dispute resolution centers that may one day be established could benefit similarly.

The potential for CRS to address a wider range of disputes is still largely untapped. At present one of the potential areas of CRS growth is being tested in a special project in the operational planning system, encouraged by the Federal Judicial Center and being conducted on a pilot basis in the Eighth Judicial District. Senior Judge William J. Campbell, recently asked by Chief Justice Burger to serve as chief of seminars for the Federal Judiciary, has become a spearhead of this program, based on his knowledge of the work of CRS with the courts when he was sitting in the Eighth District. The Federal Judicial Center, as well as CRS, will evaluate this pilot program documenting the values resulting from maximizing the use of CRS services in lieu of court processes and by measuring the dollar savings achieved.

With respect to the question of whether CRS has the capability to take on an enlargement of its mandate to include other kinds of community dispute settlement, the answer is clearly yes. It would not even require modification of CRS organizational structure. CRS regional offices already possess a detailed familiarity in every State with the community leaders and Government officials of more than a thousand political jurisdictions as well as working relationships with State, county and local agencies. CRS mediators and conciliators have historically demonstrated the ability to handle new issues and problems.

APPENDIX—EXAMPLES OF CRS CONCILIATION AND MEDIATION

Brooklyn, New York.—Executives of four major department stores were at odds with a local group of minority leaders over the shooting of a Black youth by a White policeman. The group insisted that the businessmen denounce the slaying and urge reversal of the verdict absolving the policeman of any wrongdoing. Organized protests started when the executives initially refused to do either and businesses began to lose several thousands of dollars daily. CRS became involved when it appeared a real conflict was evident. A conciliator in the New York office convinced the protestors that greater gain might be accomplished through organized negotiations over specifics—rather than by street protesting—and efforts to determine specific points of disagreement began.

The initial meetings between the groups were successful. A telegram was sent to the Mayor of New York outlining the businessmen's concern with the acquittal and a scholarship fund in memory of the slain youth was set up. Street protesting was also ended.

Bad River (Wisconsin) Reservation.—When the Chippewa Tribal Council enacted an ordinance banning hunting on the reservation, local area hunters reacted with threats of violence. As threats became more intense, the Wisconsin Criminal Justice Commission requested CRS' intercession. A team from the Chicago office went in and learned that the local sheriff would not enforce the ban. To make matters worse, area hunting resorts had not been briefed on the ordinance, and no plans had been made to alert hunters who traditionally had overrun the County area during hunting season.

With the support of the U.S. Interior Department, CRS arranged meetings with community leaders, including the sheriff, State legislators, leaders of the reservation's tribal council, hunters and local elected officials from communities surrounding Ashland County, which resulted in a peaceful end to the controversy. The key development was a decision by the Chippewa Tribal Council to suspend the ordinance until a complete judicial system for enforcement is developed. The Council now plans to adopt a conservation policy for hunting, which it is believed hunters will accept. CRS provided technical assistance to the Council in identifying ways for gaining acceptance of the new hunting regulations. CRS also plans to monitor the implementation of the new policy.

American Falls, Idaho.—Chicano migrant workers had confronted the Power County Labor Association with complaints of uninhabitable camp conditions for quite some time before filing an \$800,000 suit in the State court. In attempting to resolve the controversy without costly and time-consuming litigation, CRS' Seattle office contacted the parties and suggested mediation as an alternative method of redress. Migrants were complaining about such conditions as insufficient hot water, garbage pile-up, and inadequate sanitary procedures. Through mediation, CRS helped get an agreement which was then incorporated in a consent decree. The agreement itself is particularly noteworthy for two reasons. First, the Chicano migrants decided to drop the \$800,000 pending suit. And secondly, a formal leasing procedure was designed for use at the next camp opening. The leases, signed between the association and individual workers, spell out clearly rights, and responsibilities of both sides. To the best of our knowledge, this is the first migrant camp in the Northwestern United States to use such leases.

Syracuse, New York.—School officials became wary of problems that might develop as 19 of their 22 elementary schools and approximately 11,000 students faced a newly desegregated school setting. They asked CRS to help develop a human relations training program for their professional and support staff. CRS trained 1,100 school personnel in four separate sessions bringing together administrators, school staff, and community representatives from each of the 19 schools to develop ways of easing tensions through a teamwork concept. The highlight was a televised forum analyzing for the total community what could be done to ease the transition into an integrated school system.

Mr. EDWARDS. The gentleman from Missouri, Mr. Volkmer?
Mr. VOLKMER. Thank you very much, Mr. Chairman.

I have a few questions generated by your statement. At page 4 of your statement you note that within the last 6 months, your services have been requested by 13 Federal judges, 37 police chiefs, 49 school superintendents or school board presidents, 28 U.S. attorneys, and 33 mayors or other top city officials. I believe that demonstrates that the need for your services continues. However, I would like to have some idea of the areas, and the locations—not necessarily individuals names and all that—that these requests are coming from. I recognize that you may not have this information with you and therefore ask that you make it available for the record.

My second question goes to the adequacy of your fiscal year 1980 request, will the requested amount enable the service to carry out its mission? Will you continue to be as effective as you have been in the past?

Mr. POMPA. Well, under the allocations projected, we anticipate no reduction in our field activity; and, in fact, an increase in our productivity on the basis of the new management techniques we have devised, new approaches to the problem-solving process, that we now utilize.

I believe that with the present field allocation, we could maintain the level of response that we have for at least the last year.

Mr. VOLKMER. If, as some predict, this country is confronted with a recession at the end of the year, would such a condition result in increased demands for your services?

Mr. POMPA. Yes, sir, a recession is one of the indicators which we utilize in determining the need for our service.

We have noted in the past that when you have such things as high unemployment, the frustration level among poor people rises, particularly among minorities.

This in turns catalyzes into other things that generally bring us into play.

Mr. VOLKMER. Inflation also hurts that person who is out of a job, does it not?

Mr. POMPA. Yes, sir, it does.

Mr. VOLKMER. Unemployed workers don't have the protection of a labor agreement or something which increases their income as every thing else goes up.

Mr. POMPA. That is correct, sir.

Mr. VOLKMER. There has been an increase in the number of requests for the Service's expertise in school problems.

Mr. POMPA. Yes, sir.

Mr. VOLKMER. Can you highlight this issue? Are we talking about the South, the North, the East, or the West?

Mr. POMPA. At the present time, the majority of our education involves problems associated with desegregation cases.

Mr. VOLKMER. Segregation?

Mr. POMPA. Yes, sir; most of our cases are concentrated in the Midwest.

Mr. VOLKMER. Where, specifically?

Mr. POMPA. Ohio and Michigan.

Education problems comprise about 20 percent of our caseload over the last year.

Mr. VOLKMER. Twenty percent of your total, and the bulk of that is in the Midwest, Ohio, and Michigan?

Mr. POMPA. Yes, sir.

Mr. VOLKMER. There has also been an increase in your requested participation in the "police community relations" area, is that correct?

Mr. POMPA. Yes, sir, police-minority friction is our number-one priority area. Most of our cases deal with this issue.

Mr. VOLKMER. Where is that centered, or is it widespread?

Mr. POMPA. The problems are all over the country, but the majority we are responding to, for lack of resources, are in the Southwest, primarily Texas.

Mr. VOLKMER. Are these attitudinal problems?

Mr. POMPA. Yes, sir, I believe you could characterize these as attitudinal problems.

Mr. VOLKMER. In your work in your field operations do you have local persons, who are not directly in your employ, participate in the solution?

Mr. POMPA. Very definitely, sir. Because of the limited size of our agency, we rely very heavily on local assistance.

Over a period of time we have managed to compile a list of volunteers that become part of our crisis resource center system in the resolution process. They range all the way from governors, mayors, police chiefs, local community leaders, and minority organization members, down to the man-on-the-street.

Mr. VOLKMER. One last question. You have, for some time, been working around issues in the midwest, such as Ohio and Michigan and the Southwest, like Texas.

Mr. POMPA. Yes, sir.

Mr. VOLKMER. In your judgment, have there been any attitudinal changes in these areas regarding school and police-community relations?

Mr. POMPA. As perceptions begin to improve between people in conflict, we, in turn, one and the other, perceive attitudinal change, Mr. Volkmer. Our process involves bringing about a better understanding between antagonists.

To the extent that we have been able to get at the problem, we have concomitantly seen a significant amount of positive change in the attitudes.

For example, right now in Texas where the problem is prevalent, we have put together a meeting between at least 20 police chiefs throughout the State and local minority leaders. They hope to develop some solutions on their own with the assistance of the CRS, primarily by utilizing our experience in this area over the last 15 years.

Mr. VOLKMER. Is the attitude involving Texas directed at one or both—Spanish Americans or blacks?

Mr. POMPA. I am sorry, I didn't understand.

Mr. VOLKMER. In Texas, are the perceived attitudes of the police directed at the black or Hispanic community?

Mr. POMPA. Both.

Mr. VOLKMER. Both?

Thank you very much, Mr. Chairman.

Mr. EDWARDS. Mr. Drinan, from Massachusetts?

Mr. DRINAN. Thank you, Mr. Chairman.

I commend the witness for all the initiative he has taken. I have been very enthusiastic about the CRS for many, many years, dating back to my experience in this area in Massachusetts.

On the projected budget, I am concerned and alarmed at the figures we have here in a memo from the staff. Is my understanding correct that in 1980, OMB or someone, has projected a slash of almost \$900 thousand—\$5.3 million to \$4.4 million?

Mr. POMPA. That is correct, sir.

Mr. DRINAN. Did they give any justification for that very sharp reduction?

Mr. POMPA. Not specifically, sir. There have been references by OMB to our improved ability to provide our service on the basis of our new systems that would enable us to do the same job at the same level as we have in the past.

Mr. DRINAN. Well, it makes reference here, that for this fiscal year the authorized sum was a reduction of 26 permanent positions as a reprogramming of money from CRS to TEA.

Explain that for me?

Mr. POMPA. I can't explain that, sir; I am not aware of that officially. I just read that in the Federal Register.

Mr. DRINAN. Well, you indicate the Attorney General really does not want to see CRS terminate. I wonder if the Department of Justice has taken any position on the proposed cuts?

Mr. POMPA. I am only aware of the fact that the Attorney General took a position on the proposed elimination of CRS and on its proposed transfer. The transfer involved cuts in the appropriation.

Mr. DRINAN. He took a position opposed to those?

Mr. POMPA. Yes, sir.

Mr. DRINAN. In other words, he wants to retain CRS at the present level?

Mr. POMPA. Yes, sir.

Mr. DRINAN. Would that be in line with your thinking, that it should be retained?

Mr. POMPA. Yes, sir, I feel very strongly about that.

Mr. DRINAN. All right.

Your position is, I gather, from your fine statement, that you could really use the authorization for this year, plus the ordinary increase for inflation; but as you have planned to fully implement in fiscal year 1980 all of the programs you have designed over the past.

Would you be able to give us a figure which would be according to your planning and your planning associates, acceptable for CRS?

Mr. POMPA. Well, I can only state that the projections we made for fiscal year 1980 were based on current funding levels.

Mr. DRINAN. I am sorry?

Mr. POMPA. The projections we had set out initially were based on the current level of funding. However, with no reduction in our field operations, and with the improved process we have set in motion, I think we can produce essentially the same with a few modifications.

Mr. DRINAN. Well, let me go back to a previous question and rephrase it a bit:

I take it in the normal process that you people put in a specific request to the Justice Department for your budget; would you tell me how much that was, and how that differs from the budget the staff at OMB authorized?

Mr. POMPA. You mean for fiscal——

Mr. DRINAN. 1980.

Mr. POMPA. 1980. All right.

For fiscal 1980, I am sure you understand the zero-based budgeting process where funding submissions include minimum, current, enhanced level-one, and enhanced level-two.

Our submission was for enhanced level-one, 175 positions, a dollar figure of \$6,958,000; enhanced level-two, 198 positions, a dollar difference of \$7,617,000; and the current level request was for 136 positions and \$5,433,000.

Mr. DRINAN. And did the Department of Justice recommend that to OMB?

Mr. POMPA. Yes, sir, recommended current level funding at the 136 positions.

Mr. DRINAN. If I may ask, procedurally, was there any hearing that OMB offered to Justice or Community Relations Service before they slashed?

Mr. POMPA. Yes, sir.

We appeared before OMB at a regularly-scheduled hearing and testified in terms of the program which we were now offering and the improvements we were initiating; and what we hoped to accomplish through those improvements.

Mr. DRINAN. Would there be a stenographic report of that hearing?

Mr. POMPA. No, sir; I don't believe so.

Mr. DRINAN. Mr. Chairman, I believe it would be very useful, I am certain, to me, and to the committee, if we could have something of what the thinking is at OMB, assuming they responded to your recommendations.

In any event, Mr. Chairman, if that is available, I know I would benefit by it.

I thank the witness and once again commend him for the very important work he is doing in an agency which, in my estimation is very, very vital for interrelations and intercultural activities and for civil rights activities, in the United States.

Thank you, Mr. Chairman.

Mr. EDWARDS. I certainly agree with the gentleman from Massachusetts as to the value of this agency; it has had a long and positive association with this subcommittee.

Mr. Pompa, you mentioned the mood of the Nation, the mood of the Nation in the context you referred to it, I assume, means mood of the disadvantaged of this country. What would you say is the mood of the residents of the inner-cities and in the areas in which CRS works?

Mr. POMPA. Mr. Chairman, I think our assessment would be very similar to the assessment that was made by the head of the National Urban League, Mr. Vernon Jordan, in terms of some of the frustrations that minorities in this country are experiencing.

I would just expand beyond his report to include Hispanics, Asian Americans, and Native Americans.

Mr. EDWARDS. You are saying they feel that the great American dream is not necessarily for them? Or are they being provided assistance in reaching the goal of the great American dream?

Mr. POMPA. I think the quest is still there, but the goal has not been reached.

Mr. EDWARDS. You point out in your testimony that you now have a cost accounting system. I am sure it's a very good idea. I am also sure you know the perils of such a system. There is a great tendency to overestimate how much money you save.

We ran into that with our friends at the FBI who proved they were saving more money in fine collection recovery than their budget every year. However, when we had the statistics audited, we found it was maybe 400-percent wrong.

How would you ever get to a \$41 figure for every dollar spent?

Mr. POMPA. I use that figure as a maximum—

Mr. EDWARDS. I understand.

Mr. POMPA. I think when we actually improve the system a little bit better, we may even determine that the return on our investment is higher.

What we are talking about there, Mr. Chairman, is if you take, for example, a typical police-minority confrontation where Community Relations Service steps in and attempts to conciliate, we believe the cost savings to a particular community where that police department is located, includes the avoidance of litigation, the avoidance of costly investigations, and the avoidance of involvement by State agencies, or other Federal agencies, in the controversy.

We think that the ripple effect of our involvement is such that it results in at least a savings of up to \$41 for every \$1 invested in using Community Relations Service.

Mr. EDWARDS. I am sure you are right.

I would suggest that the calculations are very difficult to come by.

Mr. DENNIS. When we designed our system, we tried to build in certain safeguards. We know all cases are not the same; we acknowledged that out front. We took a 50-percent success rate, which is significantly lower than our experience indicates. The \$41 figure is simply the high end of the range depending on the type case we are involved in; it ranges up to \$41.

Mr. EDWARDS. In your opening statement at page 4, you list an impressive number of requests for assistance which Community Relations Service has received during the past 6 months.

Would you say that these requests are higher in number than in previous years?

For example, what kind of requests, what number of requests, have you had in fiscal year 1977?

Mr. POMPA. I don't have that statistic with me, Mr. Chairman.

But I would like to point out that these requests only include eight regions. There are a couple of regions that aren't included. So this is only a sampling.

Based on the current mood of the country, I would venture to say that they are increasing.

As you pointed out in your opening statement, Mr. Chairman, part of our problem in the past has been our lack of visibility stemming from the restrictions imposed by title X, to operate in a low profile manner. This makes it very difficult for our service to be known, much less understood.

The quantification processes we have initiated, the cost-benefit processes, and all the others mentioned, are designed to hopefully defend our agency's work at least with respect to problems posed in

the past—our inability to evaluate the work of the agency, particularly in terms of impact.

It is unfortunate that many times the measure of the agency's work is relegated to quantifiable questions such as: How many riots have you stopped? How many lives have you saved? As opposed to the ripple effect we propose to show in terms of the cost-benefit analysis.

Mr. EDWARDS. Thank you. My time has expired for the first round. The gentleman from Missouri?

Mr. VOLKMER. Thank you, Mr. Chairman.

I would like to continue on with the restriction you were talking about, of visibility, the publicity?

Mr. POMPA. Yes?

Mr. VOLKMER. Do you believe that the removal of that limitation would enable you to provide your services to more areas?

Mr. POMPA. I think it would enable us to get our message across to more people who would potentially use our services.

Mr. VOLKMER. People would know that you are available?

Mr. POMPA. That's correct. If I may offer an opinion as to how this restriction hurts us?

A few years ago there was a movie production company that wanted to do a series on the Community Relations Service. The confidentiality restriction in our statute prohibited us from authorizing it.

Mr. VOLKMER. That is something I think we should look into, Mr. Chairman.

Mr. EDWARDS. OK.

Mr. VOLKMER. The other thing I would like to know is, do you see through your field offices signs within the business community to insure a cheap labor force?

Mr. POMPA. I am sorry. I am not following your question.

Mr. VOLKMER. Well, although I don't want to project my own personal views, there is no question in my mind that in times past there have been efforts made by certain segments of the business community to do what it could to foster a cheap labor force.

Now, my question is: Do you still see signs of that?

Mr. POMPA. Yes; at least from a community relations perspective. We've been drawn into this as an issue in the area of undocumented alien problems. It sometimes becomes a point of contention between community groups and individuals, which leads to fractured relations that result in our involvement.

Mr. VOLKMER. In other words, you have to have a cheap labor force in order to have a business? If you don't you don't have a business; is that correct?

Mr. POMPA. I don't know if I can give an opinion about that personally; but, in terms of being a point of contention, and thereby causing community relations problems, I can say it is.

Mr. VOLKMER. Well, I just wanted to know in general; you have answered my question, you think it is still there.

Do you have any views on minority members' participation in labor unions?

Let's begin with the construction trades?

Mr. POMPA. I can't off the top of my head cite any specific cases, but I know that in the past we have been involved in construction-type cases; allegations of noninclusion have been made by minorities.

I believe we had some back in Chicago a few years ago. I am not aware of any we have ongoing right now.

We have mediated some cases wherein minority contractors alleged exclusion from construction work.

Mr. VOLKMER. What about the Teamsters Union or the United Mine Workers? Have you had any involvement in that?

Mr. POMPA. No, sir, only indirectly.

For example, we have been involved in the United Farm Workers/Teamsters' controversy a few years ago in terms of the police involvement.

Mr. VOLKMER. There has been renewed conflict between those forces; is that correct?

Mr. POMPA. Yes, sir.

Mr. VOLKMER. But you are not involved in the current negotiations?

Mr. POMPA. No; not in the union versus union controversy, but we have in the union minority membership versus the police. We have gone into that.

Mr. VOLKMER. You have not been drawn into what happened yesterday or the day before, or last night, out there? As I understand it, there's gas and everything else.

You have not been involved?

Mr. POMPA. We have people on the scene. I can't give you an update.

Mr. VOLKMER. You have not been asked specifically?

Mr. POMPA. No, sir, our only involvement consists of monitoring the situation to see if there's any assistance we can offer.

Mr. VOLKMER. All right.

Do you know of any other Federal, State, or local agencies that provide the same types of services as you?

Mr. POMPA. Yes, sir. I am aware of two or three that provide similar services.

Mr. VOLKMER. Specifically that provide the exact type services? Can you enumerate those and the type of services they do perform?

Mr. POMPA. Two examples are the American Arbitration Association, and the National Center for Dispute Settlement. I can't think of another one right now.

Mr. VOLKMER. American Arbitration? What does it do?

Mr. POMPA. It provides conciliation and mediation services.

Mr. VOLKMER. Between minorities?

Mr. POMPA. They can be utilized in any type of controversy.

Mr. VOLKMER. I would agree on that.

Mr. POMPA. But they are not specifically confined to minority problems.

Mr. VOLKMER. All right.

And the same thing with the National Dispute——

Mr. POMPA. The National Center for Dispute Settlement.

Mr. VOLKMER. The same type of thing?

Mr. POMPA. Yes.

Mr. VOLKMER. They are involved in all types of disputes?

Mr. POMPA. The primary difference is that in using those services, there is generally a fee involved.

Mr. VOLKMER. Yes.

Mr. POMPA. There is no fee involved in CRS assistance. We prefer to think that we could come in in a slightly more objective position, more objective, in the sense that nobody is paying us, and we respond equally to both sides.

Mr. VOLKMER. A review of your history suggests that in the past your services were frequently most available to the larger metropolitan areas and that now you are focusing on smaller areas of 50,000 or less.

Let's assume you receive appropriations to continue the service at its fiscal year 1979 level of 136 permanent positions.

Mr. POMPA. Yes, sir.

Mr. VOLKMER. If you were able to do that, would you be able to expand any in what you are presently doing?

Mr. POMPA. At the current level—would we be able to expand?

Mr. VOLKMER. If you are fully funded for 136?

Mr. POMPA. I think on the basis of the new initiatives we have implemented, we could expand beyond our projections.

There are other factors involved, of course. We don't know the full extent of emerging austerity initiatives and what implications they have for our types of service. Some of the initial reactions we anticipate are indicated in my opening statement. These actions are a result of actions taken at the local level—by States and municipalities—dealing primarily with reductions of services. They have catalyzed into a significant involvement for us.

Mr. VOLKMER. Thank you, Mr. Chairman.

Mr. EDWARDS. Expanding on the subject of Mr. Volkmer, Mr. Pompa, you know the States have large surpluses these days, more than \$30 billion; and we are in a deficit situation here in Washington—you hear about that daily and hourly.

It occurs to me that you, as part of your work, you would encourage the formation of the State, local, or private organizations who would provide the same kinds of services CRS does.

Do you do that? Do you encourage the formation of local organizations to try to assist in these confrontations?

Mr. POMPA. Yes, sir.

Initially, when we had more staff, we approached problems through a three-stage process.

The first stage was preventative; the second was onsite response; and the third was followup.

At the present time we are able to do very little prevention. Most of our work is onsite response with some measures taken in followup.

Our preventative involvement is incidental and generally consists of setting up mechanisms that would hopefully keep the problems from occurring again. We encourage States to develop their own prevention process.

It was said by one of our previous Directors that he hoped to see the day when local institutions, States and municipalities, would form mechanisms similar to CRS so that they could take care of problems on their own. This has not come to pass, although some States continue to be plagued with these problems at all levels.

Mr. EDWARDS. Don't you think it would be a very desirable phenomenon if the Nation were covered with organizations that do this type of work?

Mr. POMPA. Yes.

Mr. EDWARDS. Not necessarily at Federal expense?

Mr. POMPA. I agree with that.

Mr. EDWARDS. The Federal interest in this work parallels the local interest; the local interest really should be larger than the Federal interest.

Is that correct?

Mr. POMPA. Yes, sir.

Mr. EDWARDS. Local people are involved; local people are going to get hurt; local property may be destroyed; and, for example, local courts will be overworked with litigation.

Mr. POMPA. Mr. Chairman, as you know, we primarily peg our involvement in these controversies to the protection of civil rights. I think if the States assumed that responsibility with the same level of commitment as the Federal Government, there would possibly be no need for our services.

Mr. EDWARDS. I am hopeful that the next time you testify before this subcommittee you will bring us up to date on what the States and local governments are doing to cooperate with you and to form their own conflict resolution organizations.

The last question I have on this round is regarding the neighborhood justice centers, on page 11 of your testimony.

Are those financed by LEAA? Tell us something about them?

Mr. POMPA. I believe they are funded as pilot projects. I think there were three throughout the United States that were funded by LEAA as pilot projects. The evaluation was just completed but I haven't read it yet. We provided technical assistance to those centers.

Mr. EDWARDS. Did it work pretty well?

Mr. POMPA. The evaluation indicates it did. Our assessment also indicates that.

Mr. EDWARDS. The danger in something like this is that disadvantaged people are sometimes denied the benefits or the rights that are afforded in a court of law, and they somehow are getting less justice than the more affluent people.

Does that possibility exist in the neighborhood justice center program?

Mr. POMPA. I think that is one of the negative aspects of the program, Mr. Chairman. That particular point was advanced by some of the client groups in the projects we assisted. They felt this process cut them off from the litigative process.

The same might be said about the process we offer. Fortunately, if parties use us, and are unsuccessful they can still go on to the litigative process.

One of the things about neighborhood justice centers and the Community Relations Service in terms of the advantages of utilizing one or the other, is that with CRS, the jurisdictional lines cut across counties and cities and States. Our involvement may be beyond a particular geographical area, while the centers are usually confined to a local jurisdiction.

Mr. EDWARDS. Counsel?

Ms. GONZALES. Thank you, Mr. Chairman.

Following up the chairman's discussion with you, you mentioned preventative work; that you do little if any of it any more.

What is the reason for that?

Mr. POMPA. Well, if I could digress back to 1971, when our total strength was somewhere a little over 300. About 70 percent of our resources were utilized in prevention assistance, attempting to get minorities into five critical mainstream areas. These were areas that proved to create the greatest source of frustration for minorities. These included economic development, administration of justice, education, housing, and communications.

Our work was aimed at assisting minorities to become involved and be a part of the total fabric of the community by their participation in the five areas. Hopefully, through that involvement they would see themselves as part of a process, and thereby reduce the possibility of tension between majority and minority community members.

Ms. GONZALES. Following up on your testimony thus far, do you see a change in the nature of the assistance you have been requested to give in communities over the last several years?

If so, what is that change?

Mr. POMPA. Well, I would say one of the most significant changes has been in our assistance to the courts.

For example, a lot of our past involvement was characterized as firefighting, that is, coming in during tense situations and attempting to keep peoples' tempers as cool as possible in volatile situations.

Today there is a positive tendency on the part of minorities to use table negotiations rather than street confrontation to express their concerns. We have had to modify our approach to accommodate that. Presently we are more involved in negotiations—helping the parties to mediate and use specific alternatives to confrontation.

Mr. EDWARDS. Would the gentlewoman yield at that point?

What kind of a request would a judge make of CRS? They are not asking you to be the probation officer, are they?

Mr. POMPA. No, sir.

A lot of the district court cases I referred to deal with desegregation issues. These requests are slightly different from those we have had from other federal judges.

Some of the initial requests involved class action suits brought against State correctional institutions. These suits alleged various issues which lent themselves to resolution through mediation. The judges referred to CRS for a possible agreement that could be included as part of a consent decree. We were able to do that in various instances.

In terms of desegregation cases, we started our involvement through Judge Garrity in Boston, who heard of our Service at one of the judicial conferences he attended.

In that case we assisted the court in monitoring the desegregation plan, making sure the courts' orders were implemented. We assisted by helping to set up court-monitoring commissions, citizen coordination councils, and also by providing training to bus monitors and school administrators, in all of the different friction areas. We tried to assist in solving some of the problems in those friction areas that we, through our many years of involvement in such cases were aware of and in which we had possible approaches to solutions.

Ms. GONZALES. Mr. Pompa, there is another point you have discussed but I would like to emphasize this: given the increase in the number of requests you foresee, the changing nature of the requests, and, again, given the positions OMB has authorized for you, will you be able to keep up with the increasing numbers of requests?

Mr. POMPA. I stated earlier, with some modifications we would try, and we might succeed. We would have to modify our administrative—we would not be able to provide some services, and probably would have to curtail the amount of time spent on a particular case because of the limited resources we would be operating with.

Ms. GONZALES. In other words, your services would be much more limited than the type of services you now supply?

Mr. POMPA. Yes, ma'am.

Mr. DENNIS. We would have to operate under some restraint. For example, we simply could not travel at our normal level and would have to restrict it.

Ms. GONZALES. I see.

The Service currently has 10 regional offices; is that correct?

Mr. POMPA. Yes.

Ms. GONZALES. What percentage of staff people are in your regional offices and what percentage are in your headquarter's office in the District of Columbia?

Mr. DENNIS. I don't know what the percentage is now. Under our anticipated plan we would have not more than 20 percent in the central office; that is, assuming we would carry on the great bulk of our own administrative support.

Now, under our planning system; the top-down, bottom-up kind of system, the allocation system would be based on where the parties are with the greatest needs.

Ms. GONZALES. Thank you.

What are the advantages or disadvantages of having CRS as a component of the Department of Justice?

Do you feel a move to another agency would help or hinder your efforts?

Mr. POMPA. Well, my background is legal. I was formerly a prosecutor for 8½ years. I tend to look at the job from the standpoint of something between sensitivity to social concern and the need for effective law enforcement.

It is our experience that when attempting to deal with problems in this country, particularly in the administration of justice process, the credentials of the Department of Justice are an asset to us in being able to get the type of credibility it takes to be able to solve these problems.

I am not saying credentials from another agency might not be as effective; I don't know. But, because of my own background, I just feel that Justice credentials are preferable. I know that the respect the credentials command when you go into a police department is great.

Ms. GONZALES. One final series of questions:

Do you get requests from other bureaus within the Department of Justice, or the White House, for example, or any other administrative departments for your assistance?

Mr. POMPA. Oh, yes, we receive numerous requests from other agencies and other departments. Specifically, the Department of the Interior used us in the Bureau of Indian Affairs takeover a few years ago. We were also the official conciliation agency at Wounded Knee, by request of the Department of the Interior.

We have done some work for HUD, and for HEW, involving educational problems. At one time I had a compilation of those instances. I don't have that presently.

Ms. GONZALES. You work fairly closely with the Civil Rights Division in Justice?

Mr. POMPA. Oh, yes, very closely.

A lot of times when we go into a situation requiring involvement of the Civil Rights Division, we go directly to Drew Days. We've also

been utilized at the request of U.S. attorneys throughout the country, and the Civil Rights Commission on some of their concerns. The White House, also, I might point out utilizes us to look into some of the concerns that come to their attention.

Ms. GONZALES. In effect, they refer cases to you?

Mr. POMPA. Yes, they have.

Ms. GONZALES. Thank you very much.

Mr. EDWARDS. You operate under certain restraints where your record is not public; it must make it very difficult, at times. But as you've noted, the Attorney General feels your work is well worth continuing. I would hope you could get some publicity without compromising the law and your charter. I recognize that confidentiality facilitates your work.

Now, based on the management improvement program which you have implemented and which you describe in your testimony, what are the specific program priorities for next year?

Mr. POMPA. We have three areas we categorize as priorities, Mr. Chairman. One is the administration of justice, specifically the use by police of excessive force; the second is general education problems, specifically desegregation issues; and, the third is general community relations problems centered around economic disputes, housing, and other areas such as that.

Mr. EDWARDS. Do you know that some of these agencies delay, for almost an indefinite time, the investigation of complaints of discrimination? Office of Revenue Sharing, for example, has hundreds of cases backed up.

Do you remonstrate some of these agencies?

Mr. POMPA. Oh, yes.

Mr. EDWARDS. Tell them they've got to start moving?

Mr. POMPA. We have assisted the Office of Revenue Sharing in trying to get at their backlog over the years by having them advise us when they've got a very critical situation, so we can come in and try to mediate it before it has to go to litigation.

This is what I meant when I said that sometimes in our approach we see more effectiveness in terms of the relief coming a little bit faster than it would by utilizing the regular process. When we go in, we can generally settle these things in a few days; whereas, if you wait for the process to take its course, it would take a long time.

Mr. EDWARDS. Mr. Volkmer, do you have any more questions?

Mr. VOLKMER. Thank you. I just have one. Have you provided assistance in disputes centering around low income housing?

Mr. POMPA. Oh, yes, sir.

We've had quite a few problems around that particular issue, specifically, very recently, in Philadelphia. We have resolved many problems around the low-cost housing issue. We also had one in Williamsburg, N.Y., involving the Hasidic Jews and Puerto Ricans who were concerned over the number of one or the other groups comprising an apartment complex in the city.

Mr. VOLKMER. Thank you.

Mr. EDWARDS. Mr. Starek.

Mr. STAREK. Mr. Director, I have a couple of questions.

I am concerned about how you measure the success rate when you are involved in conciliation of an incident that could lead to a violent situation. How do you determine whether or not you succeeded?

I assume that there are other community groups which participate in conciliation of disputes. How do you know that CRS has been successful?

Mr. POMPA. Of course, that is a touchy area we are into right now: how do you measure program impact in terms of whether you in fact did something?

We feel the minimum thing we provide is Federal presence in a situation. That has an impact in itself. It generally helps to abate whatever problem is going on at the time—you know, the Federal presence, Department of Justice, on the scene, coming in—it has a deterrent effect. So there is an impact.

That's at a minimum. Now, beyond that, we are looking into economic impact, into significant change within a community in terms of perceptions, in terms of relationships between minorities and the majority, and all the other things.

Mr. DENNIS. We did our analysis when we had that problem, and we designed paired cities. We took two cities roughly comparable in statistics and conditions, and we used that as a measure to put into our system. But it's got to be proven over time and we have indicators designed. By this time next year we could do it.

Mr. STAREK. Thank you.

Finally, I am somewhat confused as to how you perceive your capabilities for the upcoming fiscal year in light of the reductions in personnel that have been recommended by OMB.

In answers to questions from Mr. Volkmer and counsel you indicated, if I heard you correctly, there may have to be some cutbacks.

Yet, in the last paragraph on the final page of your prepared statement you say that CRS has the capability to accept an enlargement of its mandate to include other kinds of community dispute settlement.

How can you make that statement in your prepared text in light of the acknowledged reductions by OMB?

Mr. POMPA. You are asking if that was in our statement?

Mr. STAREK. No; I am asking if you made that statement with the knowledge that OMB recommended personnel reductions?

Mr. POMPA. What I am talking about is the capability. Experience-wise, skillwise, we have the capability to address problems beyond our present mandate.

I also believe I injected in there, that if we continue to improve ourselves, we would be in a better position to respond to an expanded mandate.

Mr. DENNIS. Mediation and conciliation can be applied to a full range of different considerations as a matter of potential. We do have the potential to apply these to a greater range of situations, a large number of which would be in the area of litigative situations. We have unique skills in the CRS.

Mr. STAREK. Thank you.

Mr. EDWARDS. Counsel.

Ms. GONZALES. One more question: With regard to the statement we saw in the Federal Register as to the proposed reprogramming of \$572,000 from CRS to DEA to cover a pay raise; did CRS employees also get a pay raise in 1978?

If so, were you given additional money to cover that?

Mr. DENNIS. We were not given additional money to cover that. We will have to restore it, find a way to pay these.

Ms. GONZALES. You would have to absorb that within your proposed budget?

Mr. DENNIS. Yes.

We haven't addressed specifically what the impact of that will be: It will be significant and will impact in a number of different ways on travel costs and contracts and a number of other things.

Ms. GONZALES. Thank you.

Mr. EDWARDS. If there are no further questions, we thank you, Mr. Pompa, and your colleagues for appearing before the subcommittee today.

I think the mood of the subcommittee is that you do a very good job and have been responsible for some important improvements in your organization.

We appreciate your coming here today and giving us a better opportunity to understand the Community Relations Service.

Mr. POMPA. Thank you, Mr. Chairman, committee members, and staff.

Mr. EDWARDS. The subcommittee is adjourned.

[Whereupon, at 11 a.m., the hearing was adjourned.]

ADDITIONAL MATERIAL

THE LIBRARY OF CONGRESS,
CONGRESSIONAL RESEARCH SERVICE,
Washington, D.C., March 22, 1979.

To: House Judiciary Subcommittee—Attn: Ivy Davis.

From: Sarah P. Collins, Government Division.

Subject: Background of Community Relations Service's Confidentiality Standard.

This memorandum is in response to your request concerning the background of the Community Relations Service and the confidentiality standard under which it operates.

The service was created by the Civil Rights Act of 1964, as a mechanism through which opposing sides in racial conflicts could quietly and without publicity meet with a third party to conciliate differences. The act requires that the activities of all employees of the Service be conducted in confidence and without publicity; that all information acquired on the job be held confidentially if it was so collected; and that employees of the Service may not participate in any future litigation concerning a case on which they worked while with the Service. The legislative history of the act is composed primarily of floor debate and amendments; while there is no specification of the reasons why these requirements were imposed on the Service, the legislative history seems to indicate that the Congress and the administration believed such requirements to be necessary to insure the cooperation of the parties, and intended to insulate the negotiations from tense and potentially explosive situations in affected communities.

Following is the history of the act; highlights of the events of the period; and pertinent statements in the Congressional Record and in a House Judiciary Committee Report (H. Rept. 88-914).

In 1963, President Kennedy sent two messages on civil rights to the Congress, accompanied by proposed legislation. The first proposal, outlined in a Presidential message of Feb. 28, 1963 (H. Doc. 75), made no mention of the Service, or of any similar group. The second proposal, described in a Presidential message of June 19, 1963 (H. Doc. 124), included a section to create the Service, and impose the confidentiality requirements on it. In the message the President stressed that such a Service would "work quietly to improve relations in any community threatened or torn with strife." There was no explanation for the imposition of the confidentiality standard, but the message stressed that confidence of the parties in the independence of the Service was important. For this reason, the Service was to be located in the Federal Government apart from the Justice Department, which had investigative and litigative functions in relation to civil rights laws. The new Service would provide advice and assistance to the parties in order that community tensions could be identified "before they reach the crisis stage," and in order that remedial legislation could operate more smoothly and more effectively.

The Kennedy administration's proposal for the Service duplicated legislation introduced on June 10, 1963, by Senator Harrison Williams (S. 1689). In his introductory remarks on this legislation, the Senator praised certain Justice Department officials' success in conducting behind-the-scenes mediation during racial unrest in Birmingham, Alabama, a month earlier. The Senator included news articles concerning the "unique experiment in collective bargaining between men of enlightenment in the white and Negro communities; these articles also stressed the quiet and confidential nature of the discussions presided over by the Federal mediators. Both Senator Williams' and the administration's bills provided that the activities of the Service be conducted without publicity. Statements in the Congressional Record, which denounced the violence directed at some of the Birmingham negotiators immediately after news articles concerning the meetings were published, suggest that such violence resulted from publicity.

The section to establish the Community Relations Service was omitted from the administration's civil rights bill as reported out from the House Judiciary Committee. At least one committee member, Representative Robert Kastenmeier, suggested that this omission was the result of debate over the size of the new

Service, rather than on its essential functions. When a title providing for the Service was reinserted in the bill as a floor amendment, it contained only the clause concerning the confidentiality of information received by the Service; the general confidentiality standard and the restriction on publicity were not included at that stage. Instead, there was a new provision restricting employees of the Service from investigating or prosecuting for another agency any case arising from a conflict once handled by those employees on the behalf of the Service. This new restriction was never debated but remained in the final version of the act.

Only one Member of the House spoke on the floor concerning the amendment to establish the Service. Representative William Randall stressed the need for confidentiality in order that opposing parties would have the confidence to speak freely before a third party without the "fear of losing face." He added that "tensions get so high that these leaders cannot admit publicly that there is any basis for amicable settlement." Later in the speech, Representative Randall noted that the Service would work without publicity as a necessary element of the confidentiality responsibility.

The Senate debated the House-passed civil rights act for several months; among the many changes it made was an amendment strengthening the confidentiality standard for the Service. The act was generally amended by the "Dirksen-Mansfield" substitute, which was a bill forged from discussions held between the Senate's majority and minority leaders and officials of the Justice Department. The substitute consolidated some of the House language restricting later investigative work by the employees of the Service and requiring information to be kept confidential; this bill also added the original administration language requiring confidentiality and restricting publicity.

Both Senator Humphrey, in discussing the substitute's provisions, and Senator Holland, during final debate, noted the need for the changes. Senator Humphrey explained that "this is a prohibition on publicizing and not on disclosure as is necessary to discharge the obligations of the Service." Senator Holland noted that the Senate substitute "reinforced" the House bill by adding the general confidentiality standard to the clause that required information collected by the Service to be confidential. He noted that criminal penalties were added to discourage violation of the provision. There was no general debate on this section, and the language of the substitute bill was retained through final passage.

The Community Relations Service was thus established after little general debate on its essential functions. There was some amendment of the original proposal, but no actual debate on the standards under which the Service would operate. By reinserting and approving operating restrictions on the Service, Congress thus stressed the importance of a general standard of confidentiality regarding activities of the Service and a restriction on publicity—both aimed at augmenting cooperation among opposing parties, and avoiding incitement to violence in racially troubled communities. In similar fashion, Congress stressed the importance of keeping confidential information supplied to the Service.

I hope this information is of assistance to you. Please do not hesitate to call me at 426-5821 for any further questions on this subject.

ANNUAL REPORT

1978

COMMUNITY RELATIONS SERVICE

U.S. DEPARTMENT OF JUSTICE

FOREWORD

Disputes over police use of deadly force were a top Community Relations Service priority in Fiscal Year 1978. Whether police routinely and unnecessarily use such force against minority groups was clearly the major issue affecting police-minority relations. A CRS task force was set up to determine how to maximize the agency's impact on the problem. In addition, alleviation of community tension was pursued on several fronts.

Complaints of police use of excessive force--long an issue for Blacks--increased for Hispanics by roughly 50 percent over the preceding year. In Texas, against the backdrop of several fatalities and resulting confrontations, CRS helped create the prospect of more harmonious relations between Chicanos and police.

Aid to desegregating school systems was another high CRS priority. For example, in the first two weeks of September, 1978, the Service assisted approximately 30 school districts with school openings under a desegregation plan. There were no serious disruptions in any of these cities.

Community relations problems growing out of the undocumented workers issue was also a major CRS concern. In cooperation with the Immigration and Naturalization Service (INS), the agency launched local committees to advise INS district directors. Because of tension over issues such as alleged harassment of Hispanic citizens, CRS and INS believe the advisory committees will play a vital role.

The Service also handled a number of cases that involved several of its regions or had national impact. Typical was "The Longest Walk," a march by American Indians 3,000 miles from California to Washington, D. C., to protest certain legislation before Congress. CRS conciliated to prevent incidents.

In addition, the agency worked on community development, affirmative action, revenue sharing, Indian hunting and fishing rights, and other kinds of disputes. Most of these involved familiar issues and problems. Others were notable because they suggested potential new problems to worry about--for example, several disputes involving the American Nazi Party and the Ku Klux Klan.

Overall, CRS responded to 1,353 alerts of possibly serious racial/ethnic confrontations, 400 more than in Fiscal Year 1977. Of these 1,353 alerts, 953 developed into extended conciliation, mediation, or technical assistance. This represents a significant increase in assistance to communities over the preceding year.

Gilbert G. Pompa
Director

CONTENTS

	Page
Foreword -----	i
The Community Relations Service Mandate -----	1
New Agency Initiatives -----	7
Case Histories -----	21
Administrative Management -----	48
Appendix -----	49

THE COMMUNITY RELATIONS SERVICE MANDATE

The Community Relations Service (CRS) was created by Title X of the Civil Rights Act of 1964 "to provide assistance to communities ... in resolving disputes, disagreements, or difficulties relating to discriminatory practices based on race, color, or national origin" It is under the general authority of the Attorney General and is headed by a Director, who is appointed by the President with the advice and consent of the Senate.

CRS not only aids in resolving disputes, disagreements, or difficulties as they erupt, but also helps communities achieve the kind of progress which will enable them to avoid racial upheavals. Its goal is to help bring about rapid and orderly progress toward securing a life of justice, equal opportunity, and human dignity for all American citizens.

The Service's primary activity is as a third-party intermediary. This role involves applying conciliation and mediation techniques, a part of which is providing technical assistance. The benefit to communities

is that voluntary action avoids Federal or other enforcement action, the costs of litigation, and disruptive protests that often occur when differences are not settled for long periods.

In conciliation, trained CRS experts serve as a source of independent perspective upon which disputing parties can depend for objective judgment and recommendations for settlement. Conciliation is, in CRS operational terms, an informal process of diverting tensions into constructive dialog that hopefully will lead to a voluntary settlement. The Service facilitates the dialog so that issues and opposing views are examined, provides a Federal presence in critical situations, and tries to leave behind a mechanism to resolve future disputes.

Mediation is a formal process in which the CRS professional mediator acts as a third party in assisting disputants to reach a written settlement of their differences. It involves setting up and conducting formal negotiations. The Service uses this approach only if both sides are willing since it entails systematic consideration of a set agenda of issues at the negotiating table. The objectives of conciliation and

mediation are the same except that mediation seeks the written agreement formalizing understandings reached.

As an integral part of conciliation and mediation, CRS provides technical assistance directly to public and private agencies and organizations to help correct or alleviate problems which cause friction with ethnic groups. Technical assistance can range from conducting training in conflict management to providing resource materials, program tools, and models indicating how other agencies or community groups have dealt effectively with similar problems.

The Service offers assistance either on its own motion, when in its judgment peaceful relations among a community's citizens are threatened, or upon request of appropriate State or local officials or other interested persons. The cooperation of appropriate State and local public and private agencies is sought in carrying out these activities.

This cooperation is crucial. Without authority to force disputing parties to pursue a voluntary settlement, CRS must depend upon influence and goodwill that it cannot create entirely by itself. In addition, drawing upon outside agencies to augment the Service's own limited resources is of primary importance. Accordingly, CRS

has developed working relationships with a wide range of agencies in all parts of the country.

REGIONAL OFFICES

The CRS regional offices' primary responsibility is to carry out conciliation, mediation, and technical assistance casework. Virtually all casework is conducted by these offices; only cases with multi-regional or national impact or implications are supervised directly by headquarters. Regional offices are located in Atlanta, Boston, Chicago, Dallas, Denver, Kansas City, New York, Philadelphia, San Francisco, and Seattle.

OFFICE OF TECHNICAL ASSISTANCE AND SUPPORT

This office oversees all specialized support for casework. Its specialists in education and the administration of justice advise--and assist on-site--the field staff members, who are, of necessity, generalists. The office also arranges for using the services of outside consultants, assists in the delivery of technical assistance materials to communities, and develops other materials to meet specific program needs.

OFFICE OF NATIONAL LIAISON AND POLICY DEVELOPMENT

This office monitors national trends in racial/ethnic relations, assesses the effectiveness of agency programs, and develops new programs either at the Director's request or for his approval. It maintains agency liaison with major national organizations to aid in program development and facilitates availability of outside resources for CRS casework.

PUBLIC INFORMATION OFFICE

This office handles inquiries from news media and private citizens about CRS activities, advises field staff on media-related aspects of casework, and advises the Director on the public-affairs implications of new programs and policies. This office also develops many of the written materials needed by the Director in performance of his duties and prepares a variety of regular and special reports. It is also responsible for handling requests from Congress pertaining to certain cases the agency is moving on.

ADMINISTRATIVE OFFICE

This office has direct responsibility for all administrative support services, including budget preparation, personnel matters, space and equipment requirements, and staff training.

LEGAL OFFICE

Primary responsibility of this office is as legal advisor to the Director and CRS staff. It also is responsible for handling requests from Congress for information related to legal and policy considerations.

NEW AGENCY INITIATIVES

In Fiscal Year 1978 (FY 78), a number of initiatives were undertaken to increase effectiveness and efficiency in the areas of management support and program activity.

MANAGEMENT SUPPORT

The most significant initiative with respect to improved management structure was introduction of the Operational Planning System (OPS). It is designed to:

- Develop priority objectives, allocate resources to them, schedule work, and monitor progress in meeting objectives.
- Improve communications about CRS objectives, relationships among objectives, and roles personnel are to play in implementing them.
- Balance workloads for individuals, offices, and agency-wide.
- Improve means for reporting on and evaluating casework and special demonstration projects.

OPS is, in short, a multifaceted system that interweaves planning, programming, budgeting, and evaluation. It will allow CRS to open and close cases on a more consistent basis, process five to 10 percent more cases annually, improve the quality of casework, and more adequately set forth costs incurred and benefits derived. The OPS handbook describes procedures for evaluating cases--individually and collectively--and all other CRS program activities. OPS will be tested and refined during Fiscal Year 1979 and become fully operational in Fiscal Year 1980.

A fundamental element of the OPS is an annual agency work plan. The work plan:

- Establishes goals, objectives, and activities for the approaching fiscal year; resources allocated to objectives and activities; interrelationships between objectives; numbers and types of cases targeted; and products sought.
- Provides a point of reference for effective communication about CRS' work with officials in the Department of Justice, Office of Management and Budget, Congress, and the public.
- Establishes a general framework for evaluating performance at the end of each fiscal year.

A major management thrust will be in-depth policy studies to consider new program initiatives that could provide funding from other agencies for some CRS work, and for broadening the scope of agency services. Other studies will address how allocated resources can be used more effectively in preparing service packages, developing model service programs, and providing for staff development.

As in the past, CRS' basic management information system will provide daily input on cases. However, it will be modified as necessary to be integrated with OPS, to more adequately meet information needs of various CRS offices, and to eliminate unnecessary reporting on cases.

Information will be disseminated to agency managers more consistently to insure that all staff operates on the most current information with respect to legislation, court decisions, Administration policies, or professional practices relevant to CRS work. A proposed internal reorganization will permit more active monitoring of casework at headquarters, better use of staff across unit lines, and tighter integration of casework and supporting activities.

PROGRAM PRIORITIES

To facilitate cost-benefit analyses, increased productivity in delivery of its services, and other goals, the agency restructured its programs in FY 78. This restructuring will provide the framework for resource allocation, program analysis, and policy decisions. It also highlights the agency's fundamental objectives and aids in program planning. Henceforth, casework will focus on the following program areas, which are listed in the order of priority:

- Administration of Justice
 - Use of Excessive Force
 - Corrections
 - Police/Community Relations
- Education
 - School Desegregation
 - School Disputes
- General Community Relations
 - Employment
 - Housing
 - Transportation
 - Health and Environment

Revenue Sharing

State and Local Agencies

Recreation

Immigration

• Other

Administration of Justice (AOJ)

This program will be directed toward resolving, reducing the occurrence of, and preventing conflicts and disputes arising from perceived discriminatory practices in the criminal and civil justice system. Greatest emphasis is on alleged police use of excessive force and its consequences. While there are exceptions, this is primarily a question of police use of firearms. Blacks and Hispanics are disproportionately represented among those fatally shot, and, increasingly, the reaction to shootings in the minority community is hostile.

The Service regards this as currently the number one problem between police and minorities. For that reason an internal task force was set up to determine how the agency's resources could be used most effectively to address it. A key task force recommendation--accepted

for implementation--is to promote adoption by police departments of model firearms policies. Other elements of the program include offering training assistance to police departments in crisis intervention and human relations, and facilitating local cooperation to reduce the incidence of use of excessive force.

The second component of the AOJ program is corrections. Upon request, CRS intervenes to reduce racial/ethnic tensions in penal institutions. Disturbances occur both between white and minority inmates and in regard to alleged racial discrimination against inmates by officials. The agency offers its mediation services as an alternative to litigation. Generally, the program is designed to improve relations among inmates and officials through, for example, improved grievance procedures, human relations training for corrections officers and better understanding of rights and responsibilities on all sides.

The police/community relations component of the AOJ program addresses areas of stress between police and minorities other than the excessive force issue.

Among these are minorities' belief that their neighborhoods are not adequately policed because of racial bias, a sense that discourteous behavior and harassment are often institutionalized, and alleged hiring discrimination. Police officers, on the other hand, complain about unwarranted criticism and a lack of cooperation from minorities.

To address this division, CRS initiates human relations dialog between police and minority residents. Often, the agency establishes some kind of permanent forum for discussing problems and grievances. In addition, upon the request of police departments, the Service offers technical assistance such as developing human relations training courses for police officers.

Education

This program is concerned with resolving, reducing, and preventing difficulties growing out of racial/ethnic discrimination in the educational system, both within and outside the classroom. One component is school desegregation, the primary objective of which is peaceful

implementation of desegregation plans, especially where a complex transportation scheme or major redistricting is involved. Assistance varies but mostly includes: advising school officials, police and others on contingency planning; conducting human relations and conflict management training for teachers and other school personnel; and providing such assistance to Federal courts as training court-appointed monitors, reviewing school disciplinary practices, and advising on the human relations aspects of proposed school programs.

A second component is school disputes. In addition to desegregation problems, there are considerable community difficulties because of issues such as allegedly discriminatory discipline and unfair hiring practices. A number are "second-generation" desegregation issues, such as ability grouping and an absence of minority involvement in curriculum development and extracurricular activities. CRS' aim is to provide on-site conciliation assistance in critical situations, but also to help establish mechanisms that enhance the likelihood that such problems can be resolved before they become critical.

General Community Relations

This program aims to resolve, reduce, and prevent disputes over employment, housing, immigration, and a wide range of other interrelated community issues. It reflects the agency's belief that there will continue to be white-minority contention over jobs, a decent place to live, and other matters affecting the quality of life in communities. Whether such disputes result--or are perceived to result--from discriminatory practices, CRS offers third-party assistance to establish harmonious community relations.

Most frequently, these disputes involve local government. However, the difficulty is sometimes between minority residents and some other local institution. On occasion, CRS is asked to intercede in disputes between ethnic groups that are disrupting peaceful community relations.

Other

A fourth program area was added to cover dispute resolution activity pursued because of special circumstances. It involves cases that do not readily fit into the other categories, but which are important.

because of their emergency or critical nature. Recent examples include the Kent State University gymnasium construction dispute of last year, in which CRS became involved at the request of U.S. District Judge Thomas D. Lambros, and the more recent dispute between Skokie, Illinois, and a Neo-Nazi group. The agency intervenes in only a few such cases from year to year.

SPECIAL OBJECTIVES

The Service will undertake other program and management initiatives in Fiscal Year 1979. These special objectives are in response to changes in the socioeconomic environment likely to have impact on minority-related problems. Generally, the objectives are assigned to a particular regional office or to a headquarters office. Progress toward all, some of which are described below, will be monitored at headquarters.

Reduction in Municipal Services

California's Proposition 13 and related developments elsewhere have produced widespread fear of reduction of vital services at the community level, including those related to public safety and assistance to the disadvantaged.

The extent to which these changes will create or exacerbate problems affecting racial/ethnic group relations may have an important influence on CRS planning. To become better informed on the implications of such measures, the agency will take an in-depth look at the ramifications of Proposition 13.

Desegregation of Black Colleges

The complex question of how Federal desegregation requirements will be applied to the traditional black colleges has confounded the colleges, the courts, and the Department of Health, Education, and Welfare for more than a decade. Now imminent at a number of colleges, implementation of these requirements poses the problem of whether change can be brought about in a manner that will meet needs stated by black educators and preserve the institutions' character and mission.

Georgia and Tennessee have experienced recent protests to dramatize views about this issue. CRS' regional office in the southeast, where most of the colleges are located, will sponsor workshops and seminars to explore peaceful solutions to this problem.

Support of Federal Disaster Relief Efforts

Many natural disasters strike hard at minority populations, which are often more vulnerable to hardship and less capable of self-recovery. Even when disaster assistance efforts are color-blind, they often provide inequitably for minority victims. CRS and the Federal Disaster Assistance Administration are negotiating a memorandum of understanding by which a specially-trained CRS mobile team will assist Federal and state disaster relief teams in instances where there are racial problems.

Support for the Federal Judiciary

Services rendered by CRS to Federal courts have been highly productive in terms of making litigation unnecessary. This has meant savings in administrative, attorney, and other costs. These services have also improved compliance with court orders and reduced social disorder--for example, in school desegregation cases.

However, assistance to courts has eventuated in a random pattern only suggesting the possible range and extent. To determine the potential more fully,

CRS' Midwest Regional Office will assist area Federal courts in a fully-planned and sustained manner. The project is to be carried out with the full cooperation of the Seventh Circuit and Federal Judicial Center.

Support of the Department of Defense (DOD)

Numerous racial/ethnic conflicts occur adjacent to Defense Department installations, influenced by the impact of the installations on community life. These incidents disrupt the community and interfere with military productivity. At the same time, there are military resources available to resolve and reduce the frequency of such conflict. The agency's Central Regional Office and Kansas City-area military authorities will assess impacted communities to develop a conflict resolution model and prepare a plan for DOD-CRS cooperation.

Community Problems in Developing Energy Resources

A significant portion of the nation's energy resources lies beneath or adjacent to Indian-owned land. Developing these resources will mean significant changes locally, introducing both increased industrialization and a larger non-Indian population. Community relations problems are an inevitable consequence. In fact,

there have already been recent disputes between tribal leaders and oil companies. CRS' Rocky Mountain Regional Office will assess emerging problems and develop a plan for providing conflict resolution and contingency planning assistance.

Increased Use of Private Sector Resources

Title X of the Civil Rights Act of 1964 specifically directs CRS to seek assistance from the private--as well as public--sector in negotiating the voluntary settlement of disputes. The agency will make a special study of opportunities for increased private sector assistance and develop a program for drawing upon such assistance. To assist the process, CRS will seek the counsel of business, religious, civic, labor, and minority organization leaders.

CASE HISTORIES

Following are descriptions of selected CRS cases from FY 78. They were chosen at random to illustrate the range of racial/ethnic disputes responded to. The majority of cases involved the administration of justice and school problems.

[] Texas experienced a series of explosive Hispanic community reactions to the use of deadly force against Mexican Americans by police. CRS conciliated during a number of demonstrations and provided other third-party assistance to prevent tensions from escalating into widespread violence.

In a meeting the participants called "historic," six major Texas law enforcement officials--including five chiefs of police--and spokesmen for six Hispanic organizations were brought together in CRS' Dallas office to explore ways of reducing police-Hispanic alienation. The discussion dealt with weapons policy, internal police department investigations, citizens advisory mechanisms, affirmative action, and other matters.

Agreement was reached to hold a series of regional State conferences to consider the critical issues raised in greater depth, involving a wider cross-section of police leadership and minority organization leaders. A steering committee formed to plan the conferences later decided that the first would be held early in 1979 at San Antonio for the southern part of the state. About 200 police executives and Hispanic leaders were expected to attend.

At least two other conferences are contemplated. Steering committee members include: the police chiefs of Dallas, Austin, Corpus Christi, and Lubbock; president of the Sheriffs Association of Texas; and representatives of the League of United Latin American Citizens, Mexican American Legal Defense and Education Fund, and the Mexican American Caucus of the Texas House of Representatives. The executive director of the Texas Commission on Law Enforcement Standards and Education serves as a resource. CRS is committee coordinator.

[] The Urban League, NAACP, and Trumbull County Ministerial Alliance requested CRS' assistance in a dispute with Warren, Ohio, city officials. The issue that triggered the confrontation was reassignment of a black police detective to a uniformed division upon his return from a special detail with the Urban League Anti-Crime Task Force. Other issues were city hiring practices, use of community development funds, and general police-community relations.

The coalition filed charges of discrimination with both the Ohio Civil Rights Commission and the Office of Revenue Sharing. But the Service convened a series of meetings that led ultimately to a voluntary settlement. The agreement's provisions included a permanent police-community relations committee, psychological testing for police applicants, and a new police cadet program. The city also agreed to develop an affirmative action program and expand the membership of its Community Development Board.

[] In Woodland, California, Mexican Americans protested the actions of police following an incident in which 49 people were arrested. Some of those arrested sued the city. CRS set discussions in motion that led to adoption of five new policies governing police conduct. The policies, worked out by city officials and a community organization called Justicia, cover improved police-community liaison, use of force, stop-and-search guidelines, the practice of stopping suspected illegal aliens, and citizen complaint procedure.

The policy on use of force states that an officer who uses force "must be prepared to state articulable facts showing the reasonableness of his action under the circumstances." Specific conditions are set forth under which force may be used. Police officers are also required to have "reasonable grounds, based on specific facts" for stopping individuals and searching them for weapons.

Enforcement of immigration law is acknowledged to be a federal responsibility, and police officers are prohibited from stopping persons for that purpose. A detailed complaint procedure assures citizens the right to report police conduct believed improper and to have those complaints

investigated. All five policies were incorporated into the police department's manual on rules and regulations.

[] When Providence, Rhode Island, police fatally shot a black man, the minority community--led by a black city councilman--demonstrated and demanded a meeting with the mayor. Protest leaders called for the suspension of the two officers involved, pending an inquiry, and for a change in police department regulations and state law permitting police to shoot at fleeing felons. Because of the controversy, the State Attorney General's office presented the matter to a grand jury.

This failed to satisfy minority community leaders, who requested that the U.S. Attorney for Rhode Island intervene. He asked CRS to get involved. The agency's assessment led it to urge joint community-law enforcement consideration of measures to minimize the likelihood of a recurrence.

This led to a two-day conference on police/community relations and the controlled use of force. CRS conducted the session with the endorsement and involvement of the Providence Human Relations Commission, Rhode Island State Association of Chiefs of Police, Providence Police Department,

Fraternal Order of Police, NAACP, Urban League, and other agencies. This was the first time a statewide conference on the subject had been held.

Participants examined key problem areas between police and civilians, shared information about innovative approaches tried elsewhere, and explored the difficulty of creating change. They also began the development of a mechanism through which Providence police and civilians can work in preventing and responding to conflicts.

[] In July 1977, tribal officials on South Dakota's Pine Ridge Reservation--site of the 1973 Wounded Knee occupation--initiated a new law enforcement plan of decentralized services to the reservation's 13 districts. Reaction to the plan, which improved officers' response time, was generally favorable, especially since law enforcement jurisdiction was returned to the tribe in place of the Bureau of Indian Affairs.

However, tribal leaders soon realized that the mostly rookie police force needed additional training. They asked CRS for aid and, following an assessment of needs, agency specialists and a consultant developed a 40-hour conflict management course covering procedures, policy, discipline, and other matters. The

agency will later return to review progress with the reservation's Law and Order Committee, which oversees the work of the police.

[] The Service designed a human relations and cultural awareness training program for personnel of the Oregon penal system. This resulted from a CRS team's visits to the Oregon State Penitentiary at Salem at the request of the NAACP's Portland chapter. The NAACP's request was prompted by complaints from black inmates alleging unfair treatment, and complaining of a lack of employment opportunities and halfway houses.

[] CRS conducted training for the locally-developed Neighborhood Mediation Project in Des Moines, and served on a training team for the Kansas City, Missouri, Neighborhood Justice Center, which is part of a Justice Department pilot program. The Des Moines project operates under the auspices of the county attorney, who also sought CRS' help in the design stage. That assistance included co-chairing a briefing to enlist local support and arranging consultations with administrators of the Kansas City Center. Training sessions at both centers covered the basic skills citizen-mediators will need.

[] Syracuse, New York, school officials asked CRS for assistance in developing human relations training for staff of 19 elementary schools desegregated in September 1977. The desegregation order, handed down by the State commissioner of education, affected 10,000 students in kindergarten through sixth grade and 1,100 administrators, teachers aides, and other support staff. There was some resistance but not to the point of organized violence.

In fact, parents at white and minority schools formed the District-Wide Advisory Council and developed a desegregation plan that was accepted by the education commissioner. School officials then got a \$992,000 grant, under the Emergency School Aid Act, for activities to support the desegregation process, a fundamental part of which was human relations training.

Between February and April, 1978, the Service developed and conducted four human relations workshops. The overall goal was to create greater staff sensitivity to cultural differences among students, and to build better relationships among students, administrators, educational support staff, and parents. The approach used was to build human relations teams--made up of

staff, parents, and students--at each of the 19 schools. Syracuse experienced no racial disruption during the desegregation, and CRS continues to provide follow-up assistance.

[] CRS assisted New Castle County, Delaware, in preparing for court-ordered desegregation across district lines in September 1978. The plan affects 11 school districts and 23,000 of the county's 65,000 students. To provide assistance day-to-day, the agency opened a temporary field office in Wilmington.

An example of efforts to aid peaceful implementation was participation in an exercise to test the county's readiness a week before schools opened. The exercise focused on effectiveness of communications between various school, police, and governmental jurisdictions. There were no serious disruptions when schools opened.

[] In Los Angeles, the first phase of mandatory desegregation--involving 51,210 students in grades four through eight--was implemented without massive demonstrations and violence in September 1978. A three-member, bilingual CRS team was on hand at that time to help resolve any problems. However, for more than a year before the opening of schools, the agency performed a variety of

tasks to enhance the prospect of peaceful desegregation.

For example, it:

- Helped establish a telephone "integration fact-line" and assisted in training volunteer staff.
- At the request of school and community representatives, widely distributed agency resource materials and publications on coping with desegregation.
- Helped design and conduct training for the Los Angeles Unified School District's (LAUSD) 300 school security officers.
- Assisted with school in-service training to prepare for desegregation.
- Working with the LAUSD, Community Relations Conference of Southern California, and various community organizations, helped put together a citywide conference on "Successful Local School Integration."

[] CRS undertook a fact-finding assignment for U.S. District Court in New Orleans with respect to desegregation compliance and other racial problems at a Lusher, Louisiana, high school. There had been fights between black and white students, and complaints from black parents that school officials were violating the court's desegregation order.

After interviews with faculty members, administrators, and students, and an exhaustive review of school discipline records, the Service presented the court a 14-page report on its findings. Ultimately, school authorities agreed to take several actions, including: establishing a mechanism for interracial dialog between faculty members; revising the student handbook; and reclassifying disciplinary offenses to insure greater equity and less likelihood of favoritism.

[] The Metropolitan Council for Educational Opportunity (METCO) provides an integrated public school education for some of Boston's minority children in suburban schools. Concord-Carlisle Regional High School in Concord, Massachusetts, is attended by 36 black METCO students. For two years, it had experienced sporadic

incidents with racial overtones. On the last day of school in spring 1978, a fight erupted between two students that eventually involved several teachers, police, and a METCO coordinator.

Shortly thereafter, parents of the METCO students decided to withdraw them. During the summer, the Concord school superintendent, who opposed the withdrawal, asked CRS to help develop a school security program and a more effective approach to the school's problems. After meetings with school people, police, METCO, and students, the Service--as a first step--put together a training workshop on the advantages of a school security program and on police/school relations.

As a result, the superintendent and police chief asked the agency to help them draw up a memorandum of understanding on handling school disturbances. Reassured by these steps, METCO agreed to let the black students return to Concord-Carlisle High School. Concord school authorities also implemented other CRS recommendations to ease racial tension.

[] The number of race-related disruptions in New England schools revealed that most school systems have no contingency plan, and that few have trained security staffs. School authorities in Boston and Medford, Massachusetts, and in Bridgeport, Connecticut, asked CRS to develop a regional conference on security for school systems throughout New England.

A committee of school security directors, a school security consultant, and CRS staff agreed that the conference should give information on whether--and how--to set up a school security system for the benefit of school systems without them, and on upgrading the skills of existing security staffs. School officials, police executives, parents, and students from 21 school systems in four New England States attended the conference. Because of the positive response, a follow-up conference is contemplated.

[] The Colorado Education Association (CEA) asked for assistance in developing a program to reduce racial tension and enhance teachers' ability to improve the quality of education. The agency tested its training package in a mini-workshop for selected teachers in Grand Junction

and then combined forces with the American Civil Liberties Union on a 40-hour course in grievance procedures and human relations. The course was one of five the CEA sponsored for its members, who receive college credit.

The 24-hour part of the course CRS conducted was designed to enable teachers to develop a year-long program on cultural awareness and conflict resolution. The CEA now plans an annual program to enhance racial and ethnic relations in Colorado classrooms. As part of this effort, CRS and the CEA plan to publish a pamphlet on conflict resolution and cultural awareness.

[] Black residents of West Helena, Arkansas, began a boycott of merchants to protest alleged discriminatory use of revenue sharing funds. Their complaints included alleged discrimination by city agencies in hiring and promotion practices, poor streets, substandard housing, and other problems in black neighborhoods.

As the dispute dragged on, the black community decided that the best approach would be to pursue increased participation in city affairs and governance. Census data indicate that blacks comprise 61 percent of the city's population. However, they are virtually

unrepresented in elective office and have the lowest income, education, and voter participation of any Arkansas city. CRS provided appropriate assistance in their problem-solving efforts, including calling to the attention of such Federal agencies as the Departments of Agriculture and Commerce problems within their jurisdiction.

[] In June 1977, Beacon, New York, experienced a serious confrontation between black and white teenagers. On subsequent nights, a shotgun was fired into a white-owned tavern, and carloads of white youths cruised through black neighborhoods shouting racial insults and committing other hostile acts.

CRS' conciliation efforts led to formation of the Ad Hoc Committee of Concerned Citizens, which later organized a "Spirit of Beacon Day." It was generally agreed that one reason for racial confrontations was the absence of meaningful interaction between different racial/ethnic groups. Whites, blacks, and Latinos could lay a foundation for better communications through sharing their culture, art, and music, most people felt.

On a March 1978 follow-up visit, the Service was asked to help plan a second "Spirit of Beacon" event. In addition, the mayor asked the agency to assist in establishing a city human rights commission. CRS also helped to heal a long-standing, dispute between a Black Muslim-like organization of youths and an older, more established organization of black mothers called the Concerned Citizen Group.

[] Blacks in Mobile, Alabama, boycotted a local grocery chain for six weeks over allegedly discriminatory practices. Leaders said that black employees were prevented from advancing to store manager, some whites were paid more for the same work, and poorer quality food was stocked in stores located in black neighborhoods. CRS mediated an agreement that insured minority employees an opportunity to compete with whites for store manager positions, officials pledging that the first black manager would be hired within six months. Officials also said that any disparities in employee pay would be eliminated and assured that high quality food would be available in all stores.

[] A highly publicized Ku Klux Klan campaign to "patrol" the U.S. border at San Diego for illegal aliens created anxiety and anger among Mexican Americans. A march and rally at San Ysidro drew over 2,000 in a peaceful protest. Assessing the situation, CRS called a meeting, in the U.S. Attorney's Office, of the INS, FBI, and local police because of the potential disruption. The Service also helped brief monitors for the march and joined in the monitoring itself. In addition, the agency monitored the border several nights, coordinating with other Federal and law enforcement agencies.

[] A serious protest incident at the Progreso, Texas, border crossing left INS and other Federal agencies determined to prevent a recurrence of the uncertainty in their response. CRS, whose offer of assistance was accepted, proposed developing a contingency plan with clear guidelines. An agency-prepared draft became the working paper from which a final contingency plan was hammered. It was adopted as an agreement between INS, the Customs Service, Department of Agriculture, and U.S. Attorneys for Texas' Southern and Western Districts and CRS. The contingency plan covers the signatories' specific responsibilities, use of impartial observers, and other areas.

[] When the President mandated that 10 percent of all 1977-78 federal public works contracts be awarded to minorities, minority contractors in the Rocky Mountains rejoiced. However, their elation waned in the face of alleged obstacles presented by some government officials' interpretation of the President's instructions.

In frustration, the Minority Association of Contractors (MAC), made up of black Chicano, and Indian firms in Colorado and South Dakota, turned to CRS. The agency arranged meetings with regional officials of the Economic Development Administration, Department of Housing and Urban Development, and affirmative action specialists working as aides to the mayors of Denver and Rapid City and the governor and lieutenant governor of Colorado.

MAC also complained to members of Congress and the General Accounting Office, but the meetings CRS arranged bore fruit in the form of affirmative action councils for the city and county of Denver and the state of Colorado. In both councils, minority contractors now monitor the flow of contracts along with government officials and general contractors, giving minority firms a better chance at more and bigger jobs.

[] A few weeks before the opening of the deer-hunting season in northern Wisconsin, CRS was alerted to possible violence between Chippewa Indians on the Bad River Reservation and sportsmen in surrounding communities. The Tribal Council passed a resolution banning all hunting and fishing. Sportsmen acknowledged the Council's jurisdiction over Indian-owned land, but insisted that land on the reservation owned by non-Indians was under the jurisdiction of the Wisconsin Department of Natural Resources.

The U.S. Department of Interior Field Solicitor's Office took the position that the Tribal Council did have the authority to close off the reservation to hunting. However, federally-commissioned game wardens of the Bureau of Indian Affairs would help enforce the ban only on Indian-owned land. Local law enforcement officers were undecided about what they could legally do if reservation wardens arrested hunters and confiscated their equipment. The Tribal Council maintained it had to take this drastic action to save a rapidly disappearing stock of fish and wildlife.

CRS determined that misinterpretation of each other's positions was causing much of the tension, which included public threats of violence. The agency stressed the need for a meeting of tribal and community leaders and agreed to chair the meeting if necessary. Attendance would be by invitation, but no person seeking admittance would be barred. Under those conditions, all sides agreed to meet.

Three days before the hunting season, a meeting was convened at the reservation community building in Odanah. Present were over 30 local city and county officials, Indian leaders, attorneys of the Field Solicitor's Office, staff members of the Wisconsin Council on Criminal Justice, representatives of the Northern Wisconsin Rod and Gun Club, and others. The key development in the meeting was the Tribal Council's decision to suspend its hunting ban until a complete judicial system was developed. That system would include licensing to allow non-Indians to hunt on the reservation. Sportsmen and others present reacted favorably.

There were no serious incidents when deer season opened. Several weeks later, CRS participated in a second meeting that led to formation of the Ashland-Odanah Community Relations Council. All major elements of the community and reservation are represented. The council now serves as a forum for discussion of issues.

[] CRS helped sponsor a statewide conference for news media and Alaska Native leaders to find ways to improve coverage of Arctic peoples and issues. There had been recurring charges from Eskimo, Aleut, and Indian leaders of news media reporting that either ignored Arctic cultures or gave biased pictures of subsistence whaling, hunting, fishing, and trapping. As a result of the conference, viable contact has been established between leaders in major villages and reporters. Relationships have improved generally, and plans have been made to meet periodically to discuss issues of concern on both sides.

[] Requests from groups across Boston led CRS to convene a meeting to discuss a citywide mechanism to combat neighborhood crime. In essence, these groups wanted to develop a partnership of neighborhoods, law enforcement agencies, and social agencies.

In conjunction with the State attorney general's office, the Service helped the group identify neighborhoods' problems and elicit ideas for resolving them. In addition, meetings were arranged with appropriate officials to discuss resources to implement those ideas. CRS also enlisted the support of banks, the Boston Bar Association, League of Women Voters, communications media, and churches.

The neighborhood groups formed an organization called Neighborhoods United for a Better Boston (NUFABB). After establishing bylaws, NUFABB began developing a proposal to VISTA for staff. Concurrently, the organization negotiated with the city to serve as independent monitor in a fair housing proposal submitted to the Department of Housing and Urban Development. NUFABB hopes to revive the concept of neighborhood involvement in the development of Federal, State, and local programs related to crime.

[] In the summer of 1977, the neo-Nazi National Socialist Party of America (NSPA) announced its intention to demonstrate in the heavily-Jewish Chicago suburb of Skokie. Legal action by the Village of Skokie temporarily blocked the plan. But early in

1978--after NSPA was denied permission to rally in Chicago's Marquette Park--the group said it would go ahead with its plans for a march in Skokie.

CRS, whose first contact had been in 1977, again contacted Skokie officials when it became apparent that the NSPA would pursue a permit for a demonstration. The Service performed a wide variety of technical assistance tasks related to the scheduled June 25 march. For example, it provided Skokie police with copies of contingency plans from other cities and raised questions to aid the planning. Also, it brought in a team to activate a rumor control center, and consulted with groups planning counter-demonstrations, such as the Jewish Federation, an amalgamation of 34 Chicago-area organizations.

In May, the NSPA announced that it would cancel its Skokie demonstration if three conditions were met. First, recently-enacted Skokie ordinances banning Nazis would have to be repealed. Secondly, efforts in the State legislature to ban Nazi demonstrations would have to be defeated. Finally, the Chicago Park District would have to restore NSPA's right to demonstrate in Marquette Park.

At this point, several parties concerned about a potentially disastrous confrontation in Skokie asked CRS to facilitate a shift of the march. Over the next several weeks, the agency was involved in countless conversations with the NSPA, American Civil Liberties Union attorneys, Chicago Park District and other city representatives, and Federal officials. Then on June 20, U.S. District Judge George Leighton ruled that the Park District must grant NSPA a permit for a demonstration in Marquette Park. On June 22, NSPA announced its planned Skokie march would be cancelled. The counter-demonstration was called off that same evening.

Judge Leighton's ruling was the critical factor clearing the way for the cancellation. Several parties, expressed in writing their appreciation to the Justice Department for CRS' conciliation efforts. The agency also played a conciliation role during NSPA's June 24 demonstration at Chicago's Federal Plaza and July 9 march in Marquette Park.

[] On February 11, 1978, a contingent of 100 to 150 American Indians set out from Sacramento on foot to march to Washington. "The Longest Walk," organized

by a coalition of organizations, was to be a major protest against alleged "anti-Indian" legislation before Congress.

Alternately walking and riding in a vehicle convoy, the group passed through California, Nevada, Utah, Colorado, Kansas, Missouri, Illinois, Indiana, Ohio, West Virginia, Pennsylvania, and Maryland. Fearful that there might be problems along the way, a march coordinator asked CRS' assistance in preventing encounters with law enforcement agencies and citizens. The agency agreed.

CRS conciliators in each region through which the march passed acted in a liaison capacity to avert difficulties. Generally, they facilitated communications between the marchers and officials, helped local and State officials develop contingency plans, and advised on how certain needs--such as for physical facilities--could be met.

The march gathered strength as it moved across the country, growing to approximately 3,500 persons by the time it reached Washington. As the group neared the Washington area, CRS conducted extensive orientation for Maryland State officials and law enforcement

agencies in Prince George's County since Maryland was to be the final staging area.

The march moved peacefully across 12 States and 3,000 miles. CRS continued conciliation activities during a round of demonstrations and meetings with Federal officials in Washington. There were no serious disturbances at any time.

Comparison of Workload Data for 1976, 1977, and 1978

Item	Number		
	1976	1977	1978
Alerts Processed -----	1,216	953	1,353
Assessments Processed ---	838	625	1,001
Mediation Cases -----	57	44	30
Conciliation Cases -----	719	596	925
Cases Pending -----	399	283	503
Cases Closed -----	524	357	452

ADMINISTRATIVE MANAGEMENT

FINANCIAL STATEMENT

The available appropriation for Fiscal Year 1978 was \$5,192,000, compared to \$4,528,000 for the preceding year. Total obligations for Fiscal Year 1978 were \$5,137,000, compared to \$4,428,000 for the preceding year.

COST CATEGORIES

Appropriation	
Base Year -----	\$5,192,000
Transferred to Other Accounts -----	55,000
Adjusted Appropriation -----	5,137,000
Obligations:	
Personnel Compensation and Other Benefits	3,225,000
Travel -----	629,000
Contract Services -----	1,092,000
Other -----	191,000

CRS Employment by Months, October 1977-September 1978

Month	Permanent			Temporary		
	Professional	Clerical	Total	Professional	Clerical	Total
October 1977 --72	36	108		0	6	6
November -----72	37	109		0	6	6
December -----71	38	109		2	5	7
January 1978 --71	38	109		2	5	7
February -----71	38	109		2	5	7
March -----72	40	112		3	7	10
April -----73	41	114		2	7	9
May -----73	40	114		2	7	9
June -----76	40	116		3	10	13
July -----74	40	114		4	12	16
August -----76	40	116		5	11	16
September -----77	41	118		3	10	13

APPENDIX

CRS REGIONAL OFFICES

NEW ENGLAND

Room 1920
100 Summer Street
Boston, MA 02110
(617) 223-5170

NORTHEAST

Room 3402
26 Federal Plaza
New York, NY 10007
(212) 264-0700

MID-ATLANTIC

Room 309
2nd & Chestnut Streets
Philadelphia, PA 19106
(215) 597-2344

SOUTHEAST

Room 900
75 Piedmont Avenue, N. E.
Atlanta, GA 30303
(404) 221-6883

MIDWEST

Room 1113
175 West Jackson Boulevard
Chicago, IL 60604
(312) 353-4391

SOUTHWEST

Room 13B-35
1100 Commerce Street
Dallas, TX 75242
(214) 749-1525

CENTRAL

Room 2411
911 Walnut Street
Kansas City, MO 64104
(816) 374-2022

ROCKY MOUNTAIN

4th Floor
1531 Stout Street
Denver, CO 80202
(303) 837-2973

WESTERN

Room 1050
1275 Market Street
San Francisco, CA 94103
(415) 556-2485

NORTHWEST

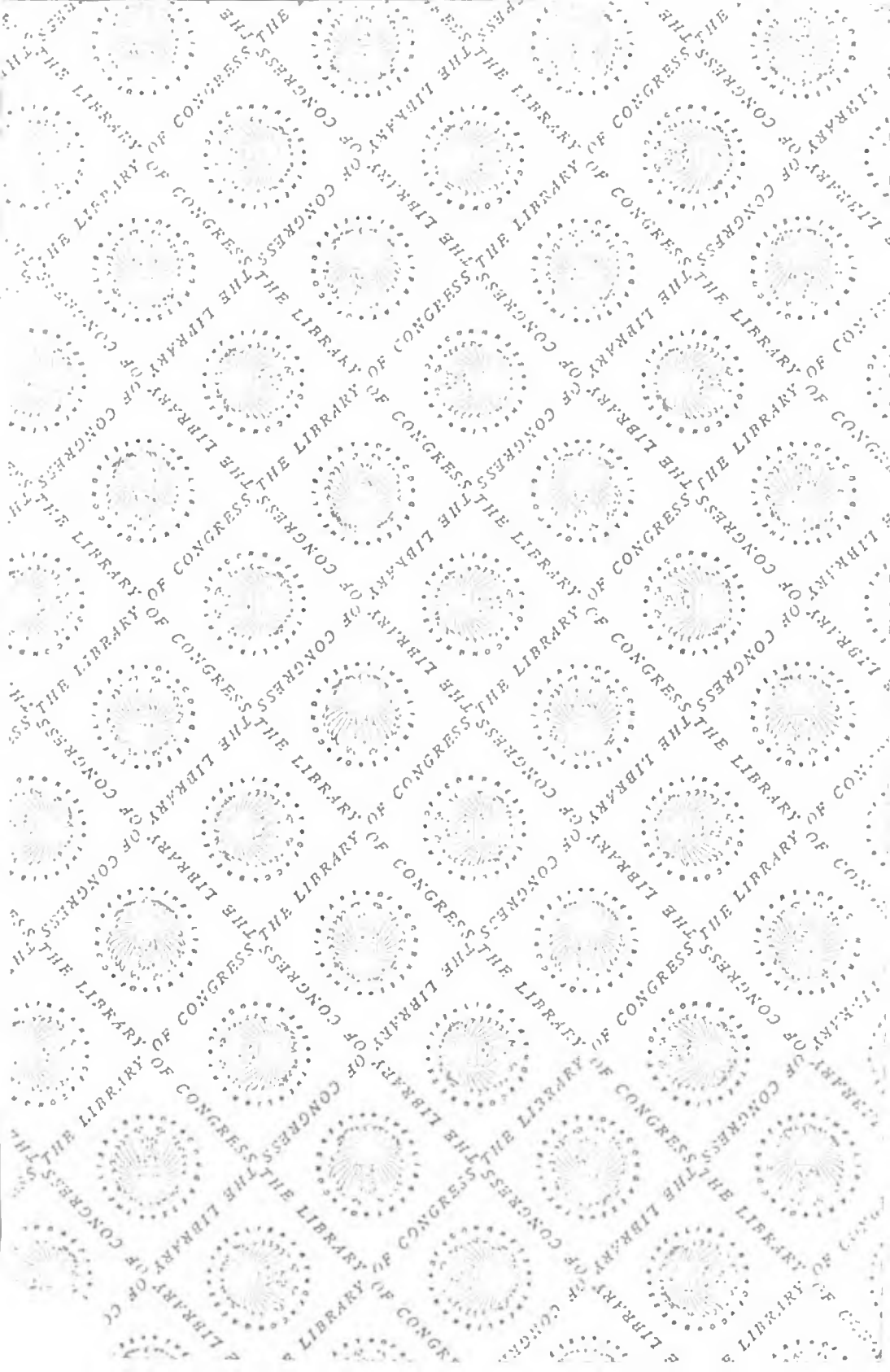
Room 1898
915 Second Avenue
Seattle, WA 98104
(206) 442-4465

HEADQUARTERS

Room 640
550 11th Street, N. W.
Washington, D. C. 20530
(202) 724-7352







DOBBS BROS.
LIBRARY BINDING

APR 80
ST. AUGUSTINE



LIBRARY OF CONGRESS



0 018 387 795 1